

THURSDAY, FEBRUARY 23, 2006

FIFTY-SEVENTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Dr. Roger Reeds, Trinity Freewill Baptist Church, Goodlettsville, Tennessee.

Representative Moore led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present.....93

Representatives present were: Armstrong, Baird, Bone, Borchert, Brooks (Knox), Brooks (Shelby), Brown, Buck, Bunch, Campfield, Casada, Clem, Cobb, Cochran, Coleman, Cooper B, Crider, Curtiss, Davidson, Davis, DeBerry J, DeBerry L, Dunn, Eldridge, Favors, Ferguson, Fitzhugh, Fowlkes, Fraley, Godsey, Gresham, Hackworth, Hargrove, Harmon, Harrison, Harwell, Hawk, Hensley, Hill, Hood, Johnson C, Johnson P, Johnson R, Jones S, Jones U, Kelsey, Kernell, Langster, Litz, Lynn, Maddox, Maggart, Marrero, McCord, McCormick, McDaniel, McDonald, McKee, McMillan, Miller L, Montgomery, Moore, Mumpower, Niceley, Odom, Overbey, Pinion, Pleasant, Pruitt, Rinks, Rowe, Rowland, Sargent, Shaw, Shepard, Sontany, Stanley, Strader, Swafford, Tidwell, Tindell, Todd, Towns, Turner L, Turner M, Vaughn, Watson B, Watson E, West, Windle, Winningham, Yokley, Mr. Speaker Naifeh -- 93.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Hargett; business reasons.

Representative Matheny; business reasons.

Representative Roach; personal reasons.

Representative Sharp; illness.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 851: Rep(s). Ferguson as prime sponsor(s).

House Joint Resolution No. 856: Rep(s). Sargent as prime sponsor(s).

MESSAGE FROM THE SENATE
February 23, 2006

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 543, 546, 548, 549, 550, 551, 552, 553, 555, 575 and 576; adopted for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk.

Senate Joint Resolution No. 543 -- Memorials, Retirement - Janice Spillman. by *Fowler, *Crutchfield, *Harper, *Herron, *Kurita.

Senate Joint Resolution No. 546 -- Memorials, Death - Rick Edens. by *Crowe, *Kurita.

Senate Joint Resolution No. 548 -- Memorials, Sports - Oak Ridge High School, AAA Tennessee State Cross Country Championship. by *McNally, *Kilby, *Kurita.

Senate Joint Resolution No. 549 -- Memorials, Recognition - University of Tennessee - Batelle. by *McNally, *Henry, *Burchett, *Woodson, *Kilby, *Kurita, *McLeary, *Cooper.

Senate Joint Resolution No. 550 -- Memorials, Death - Emily Henry McMahon. by *Haynes, *Beavers, *Black, *Bowers, *Bryson, *Burchett, *Burks, *Cohen, *Cooper, *Crowe, *Crutchfield, *Finney, *Ford, O., *Fowler, *Harper, *Haynes, *Herron, *Jackson, *Ketron, *Kilby, *Kurita, *Kyle, *McLeary, *McNally, *Miller, *Norris, *Person, Curtis, *Ramsey, *Southerland, *Tracy, *Wilder, *Williams, *Woodson, *Bowers.

Senate Joint Resolution No. 551 -- Memorials, Death - Vice Admiral William Porter Lawrence. by *Henry, *Kurita.

Senate Joint Resolution No. 552 -- Memorials, Public Service - Dr. Thomas Foster Carter, Order of the Horse Award. by *Black, *Kurita.

Senate Joint Resolution No. 553 -- Memorials, Recognition - Vick Jenkins Chevrolet Company. by *Black, *Kurita.

Senate Joint Resolution No. 555 -- Memorials, Death - William Campbell "W.C." Rowe. by *Crowe, *Kurita.

***Senate Joint Resolution No. 575** -- Naming and Designating - "Richard Dent Day," February 27, 2006. by *Harper.

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***Senate Joint Resolution No. 576** -- Naming and Designating - "Tennessee Sports Hall of Fame Day," February 23, 2006. by *Harper.

MESSAGE FROM THE SENATE

February 23, 2006

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 556, 557, 559 and 560; adopted for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk.

Senate Joint Resolution No. 556 -- Memorials, Death - Percy Emerson Dempsey. by *Ketron.

Senate Joint Resolution No. 557 -- Memorials, Death - Dr. Barun Mukherji. by *Cooper.

Senate Joint Resolution No. 559 -- Memorials, Retirement - Senior Master Sergeant Steven E. Little, U.S. Air Force. by *Ramsey.

Senate Joint Resolution No. 560 -- Memorials, Heroism - Major Max Lankes, United States Army. by *Beavers, *Harper, *Tracy.

PERSONAL ORDERS

RULES SUSPENDED

Rep. Pruitt moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 575 out of order, which motion prevailed.

***Senate Joint Resolution No. 575** -- Naming and Designating - "Richard Dent Day," February 27, 2006. by *Harper.

Rep. Pruitt moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Joint Resolution No. 575 By deleting the language "February 27, 2006" wherever it appears and substituting instead the language "February 23, 2006".

On motion, Amendment No. 1 was adopted.

Rep. Pruitt moved that **Senate Joint Resolution No. 575**, as amended, be concurred in, which motion prevailed.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Pruitt moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 576 out of order, which motion prevailed.

***Senate Joint Resolution No. 576** -- Naming and Designating - "Tennessee Sports Hall of Fame Day," February 23, 2006. by *Harper.

Rep. Pruitt moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Joint Resolution No. 576 by deleting the language "February 23, 2006" wherever it appears and substituting instead the language "February 24, 2006".

On motion, Amendment No. 1 was adopted.

Rep. Pruitt moved that **Senate Joint Resolution No. 576**, as amended, be concurred in, which motion prevailed.

A motion to reconsider was tabled.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

House Joint Resolution No. 849 -- Naming and Designating - "Menopause Awareness Month," September 2006. by *McMillan.

House Health and Human Resources Committee

***House Joint Resolution No. 855** -- Memorials, Government Officials - Requests State Capitol Commission to promulgate and enforce specific policies and procedures for conduct of rallies, protests, and sit-ins at the State Capitol Building and grounds. by *Moore.

House State and Local Government Committee

***House Joint Resolution No. 857** -- Education - Urges Governor Bredesen to give financial assistance to LEAs offering transportation services. by *Winningham.

House Education Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for February 27, 2006:

House Resolution No. 210 -- Memorials, Sports - Zach Miller, 2005 Tennessee Baseball Coaches Association Player of the Year. by *Stanley.

House Resolution No. 211 -- Memorials, Death - Amy Virginia McCarley Sanders. by *Gresham.

House Joint Resolution No. 860 -- Memorials, Recognition - 278th Regimental Combat Team. by *Armstrong.

House Joint Resolution No. 861 -- Memorials, Professional Achievement - Tony Garr, Families USA Consumer Health Advocate of the Year. by *West.

House Joint Resolution No. 862 -- Memorials, Public Service - Scott Meltzer, Prudential Spirit of Community Award. by *Sargent, *Johnson P, *Casada.

House Joint Resolution No. 863 -- Memorials, Retirement - Esther Gurkin. by *Gresham.

House Joint Resolution No. 866 -- Memorials, Recognition - Sumner County Arthritis Walk. by *Maggart.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for February 27, 2006:

Senate Joint Resolution No. 543 -- Memorials, Retirement - Janice Spillman. by *Fowler, *Crutchfield, *Harper, *Herron, *Kurita.

Senate Joint Resolution No. 546 -- Memorials, Death - Rick Edens. by *Crowe, *Kurita.

Senate Joint Resolution No. 548 -- Memorials, Sports - Oak Ridge High School, AAA Tennessee State Cross Country Championship. by *McNally, *Kilby, *Kurita.

Senate Joint Resolution No. 549 -- Memorials, Recognition - University of Tennessee - Batelle. by *McNally, *Henry, *Burchett, *Woodson, *Kilby, *Kurita, *McLeary, *Cooper.

Senate Joint Resolution No. 550 -- Memorials, Death - Emily Henry McMahon. by *Haynes, *Beavers, *Black, *Bowers, *Bryson, *Burchett, *Burks, *Cohen, *Cooper, *Crowe, *Crutchfield, *Finney, *Ford, O., *Fowler, *Harper, *Haynes, *Herron, *Jackson, *Ketrone, *Kilby, *Kurita, *Kyle, *McLeary, *McNally, *Miller, *Norris, *Person, Curtis, *Ramsey, *Southerland, *Tracy, *Wilder, *Williams, *Woodson, *Bowers.

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Senate Joint Resolution No. 551 -- Memorials, Death - Vice Admiral William Porter Lawrence. by *Henry, *Kurita.

Senate Joint Resolution No. 552 -- Memorials, Public Service - Dr. Thomas Foster Carter, Order of the Horse Award. by *Black, *Kurita.

Senate Joint Resolution No. 553 -- Memorials, Recognition - Vick Jenkins Chevrolet Company. by *Black, *Kurita.

Senate Joint Resolution No. 555 -- Memorials, Death - William Campbell "W.C." Rowe. by *Crowe, *Kurita.

Senate Joint Resolution No. 556 -- Memorials, Death - Percy Emerson Dempsey. by *Ketron.

Senate Joint Resolution No. 557 -- Memorials, Death - Dr. Barun Mukherji. by *Cooper.

Senate Joint Resolution No. 559 -- Memorials, Retirement - Senior Master Sergeant Steven E. Little, U.S. Air Force. by *Ramsey.

Senate Joint Resolution No. 560 -- Memorials, Heroism - Major Max Lankes, United States Army. by *Beavers, *Harper, *Tracy.

INTRODUCTION OF BILLS

Rep. McMillan moved that House Bill(s) No(s). 3429–3611 be introduced and passed on first consideration, and that **Rule No. 44** be suspended so that all remaining bills filed up to the close of business today be properly filed and introduced today:

House Bill No. 3429 -- Disabled Persons - Requires personal support services agency to make certain disclosures to personal support service workers and consumers. Amends TCA Title 33. by *Odom.

House Bill No. 3430 -- Tennessee Wildlife Resources Agency - Requires TWRA to survey need for new public hunting, fishing and trapping areas. Amends TCA Title 70. by *Odom.

***House Bill No. 3431** -- Criminal Offenses - Makes certain motor vehicle offenses involving serious personal injury a Class B misdemeanor. Amends TCA Title 55, Chapter 10 and Title 55, Chapter 8. by *Tidwell.

***House Bill No. 3432** -- Health, Dept. of - Requires commissioner to post information concerning the comprehensive alcohol, tobacco and other drug prevention program grant on the Web site of the department. Amends TCA Title 68, Chapter 1, Part 6. by *Tidwell.

House Bill No. 3433 -- Public Records - Classifies laboratory records maintained in animal disease diagnostic laboratory operated by department of agriculture, including identification and location of owners submitting animal samples, as confidential state records not open to inspection by public. Amends TCA Title 10, Chapter 7, Part 5. by *Bone.

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***House Bill No. 3434** -- Regional Authorities and Special Districts - Makes membership on the advisory committee of the Four Lake Regional Industrial Development Authority optional for counties; replaces mayor of Hartsville with Trousdale County chairman pro-tem. Amends TCA Section 64-5-203. by *Bone.

House Bill No. 3435 -- Motor Vehicles - Requires county vehicles have markings identifying them as county vehicles; exempts undercover law enforcement vehicles. Amends TCA Title 5, Chapter 1. by *Litz.

***House Bill No. 3436** -- Education, Higher - Establishes franchise and excise tax credit for qualified educational expenses of eligible employees of taxpayers. Amends TCA Title 67, Chapter 4, Part 20 and Title 67, Chapter 4, Part 21. by *Lynn.

***House Bill No. 3437** -- Lottery, Scholarships and Programs - Establishes lottery funded grant program to partially reimburse employers paying tuition and mandatory fees for students finishing baccalaureate degrees who are full-time employees of businesses with less than 100 employees. Amends TCA Title 49, Chapter 4. by *Lynn.

House Bill No. 3438 -- Sewage - Requires dwellings that use advanced treatment systems as sewage disposal to meet all applicable zoning and restrictive covenants requirements. Amends TCA Title 68, Chapter 221, Part 4. by *Lynn.

House Bill No. 3439 -- Boats, Boating - Increases from 30 to 45 days period of time in which person cited for not wearing flotation device must provide proof of legal age; extends from 30 to 45 days time for proving age may be extended at discretion of officer. Amends TCA Title 68 and Title 69. by *Lynn.

House Bill No. 3440 -- Solid Waste Disposal - Adds posting on the Internet as one of the acceptable methods to give notice of a proposed landfill approval. Amends TCA Title 68 and Title 69. by *Lynn.

House Bill No. 3441 -- Utilities, Utility Districts - Authorizes the utility management review board to take certain actions to ensure that serious audit findings and recommendations concerning a utility district are adequately and appropriately addressed by the management of that utility district. Amends TCA Title 7, Chapter 82. by *Lynn.

House Bill No. 3442 -- Taxes, Sales - Reduces rate of taxation on retail sale of any whole food, ingredient food and baby formula from 6 percent to 5 percent. Amends TCA Title 67, Chapter 6. by *Lynn.

House Bill No. 3443 -- Taxes, Sales - Exempts from taxation retail sale of any whole food, ingredient food and baby formula. Amends TCA Title 67, Chapter 6. by *Lynn.

House Bill No. 3444 -- Election Laws - Requires supplemental voter registrations to comply with the National Voter Registration Act; requires county election commission to pay special attention to access needs for physically or mobility challenged voters in designating polling places. Amends TCA Title 2. by *Lynn.

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***House Bill No. 3445** -- Alcoholic Offenses - Creates Class B misdemeanor offense of consuming alcoholic beverage while driving motor vehicle on public highway and Class C misdemeanor offense of possessing open container of alcoholic beverage within passenger area of motor vehicle on public highway. Amends TCA Title 55, Chapter 10, Part 4. by *Lynn.

***House Bill No. 3446** -- DUI/DWI Offenses - Reinstates the mandatory 48-hour imprisonment punishment for all persons convicted of first offense DUI and removes the mandatory 24-hour litter removal punishment established by Chapter 504 of the Public Acts of 2005. Amends TCA Section 55-10-403 and Chapter 504 of the Public Acts of 2005. by *Lynn.

House Bill No. 3447 -- Unemployment Compensation - Prevents reduction or termination of unemployment benefits due to claimant's enrollment in institution of higher education. Amends TCA Title 50, Chapter 7. by *Turner M.

House Bill No. 3448 -- Insurance, Health, Accident - Increases guaranty association's limitation on liability in health insurance benefits from \$100,000 to \$300,000. Amends TCA Title 56, Chapter 12, Part 2. by *Sargent.

House Bill No. 3449 -- Trusts - Enacts the "Other Post Employment Benefit Investment Trust Act of 2006." Amends TCA Title 8, Chapter 50. by *Sargent.

House Bill No. 3450 -- Eminent Domain - Defines what is and is not "public use" for purpose of eminent domain of private property, permits governmental entities to transfer property no longer being used for a public use to another public or private entity under certain circumstances and removes the right of eminent domain from certain entities. Amends TCA Title 1; Title 6; Title 7; Title 11; Title 12; Title 13; Title 29; Title 43; Title 49; Title 54; Title 64; Title 65; Title 68 and Title 69. by *Fowlkes, *Jones U, *McDaniel, *Gresham, *Davidson, *Swafford, *Strader, *Borchert, *Eldridge, *Coleman, *Baird, *Bone.

House Bill No. 3451 -- Law Enforcement - Creates Class C fine only misdemeanor of law enforcement officer requiring or requesting a victim of a sexual offense to submit to a polygraph examination as a condition of proceeding with the investigation of the offense; the offending officer may be subject to departmental disciplinary action. Amends TCA Title 38 and Title 40. by *Sontany, *Jones S.

House Bill No. 3452 -- Professions and Occupations - Sets standards for the certification and competency of court reporters; creates court reporters certification board. Amends TCA Title 4, Chapter 29 and Title 16. by *Sontany.

House Bill No. 3453 -- Lobbying, Lobbyists - Allows lobbyists who represent only nonprofit organizations to serve on state boards and commissions. Amends TCA Title 3, Chapter 6. by *Sontany, *Jones S.

House Bill No. 3454 -- Real Estate Agents and Brokers - Authorizes real estate commission to dismiss groundless complaints; imposes one-year statute of limitation on the filing of complaints. Amends TCA Title 62, Chapter 13. by *Coleman.

House Bill No. 3455 -- Motor Vehicles, Titling and Registration - Clarifies that persons who acquire ownership of a salvage motor vehicle must apply for a salvage title. Amends TCA Title 55. by *Roach.

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House Bill No. 3456 -- Campaigns and Campaign Finance - Enacts the "Voter-Owned Elections Act." Amends TCA Title 2, Chapter 10. by *Buck, *Harwell, *Tidwell, *Shepard, *Davidson.

House Bill No. 3457 -- General Assembly, Ethics - Requires all committee, subcommittee, special committee, and ad hoc committee meetings and hearings to be audio recorded and requires the development of a system to record all votes and post such votes on the Internet by the 105th General Assembly and acknowledges that the 104th General Assembly cannot bind future general assemblies. Amends TCA Title 3, Chapter 1; Title 3, Chapter 16 and Title 3, Chapter 2. by *Buck, *Fraley, *Tidwell.

***House Bill No. 3458** -- Open Meetings - Makes Open Meetings Act applicable to general assembly or committee, subcommittee, or ad hoc committee of general assembly so long as quorum is present. Amends TCA Title 8, Chapter 44. by *Buck, *Tidwell, *Fraley.

***House Bill No. 3459** -- Campaigns and Campaign Finance - Increases individual campaign contribution limits from \$2,500 for statewide office to \$5,000 and from \$1,000 for all other state and local public offices to \$2,000. Amends TCA Title 2, Chapter 10. by *Buck.

***House Bill No. 3460** -- Campaigns and Campaign Finance - Limits cash contributions to candidates and campaign committees to \$50.00 per election; requires disclosure of name and address of all cash contributors. Amends TCA Title 2, Chapter 10, Part 3. by *Buck.

House Bill No. 3461 -- Mortgages - Requires mortgage loan lender to provide documents to title company or closing agent 72 hours prior to loan closing; requires title company or closing agent to provide settlement statement to persons represented in transaction 24 hours prior to closing. Amends TCA Title 45, Chapter 13 and Title 56, Chapter 35. by *Buck.

House Bill No. 3462 -- Eminent Domain - Clarifies that public agency condemner liable for payment of discretionary costs permitted by Rule 54.02 of rules of civil procedure if jury award of compensation exceeds amount deposited by agency with the clerk and specifically provides that state of Tennessee is liable for such costs when it is condemner. Amends TCA Title 29, Chapter 17, Part 8. by *Buck.

***House Bill No. 3463** -- Home Improvement Contractors - Increases from \$10,000 to \$25,000 amount of bond required of home improvement contractors; prohibits home improvement contractors from accepting any consideration for referring a borrower to a lender. Amends TCA Title 62, Chapter 37. by *Miller L.

House Bill No. 3464 -- County Clerks - Requires that county clerks who contract the department of safety to perform certain duties relating to driver licenses must perform all such duties unless granted a waiver by the county legislative body. Amends TCA Title 55. by *Miller L.

House Bill No. 3465 -- DUI/DWI Offenses - Rewrites provisions of Chapter 904 of Public Acts of 2005 relative to the punishment for first offense DUI offenders to require that litter pickup be a condition of the offender's probation and that offender pay fee to offset sheriff's costs. Amends TCA Title 55, Chapter 10, Part 4. by *Curtiss.

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House Bill No. 3466 -- State Employees - Extends payroll deduction options for state employees to include specified disease insurance, accident insurance and short-term disability insurance. Amends TCA Title 8. by *Curtiss.

House Bill No. 3467 -- State Symbols - Designates the red tailed hawk as the official state raptor. Amends TCA Title 4; Title 5; Title 6 and Title 38. by *Curtiss.

House Bill No. 3468 -- Banks and Financial Institutions - Permits title pledge lender to advertise fees, interest and any waivers thereof. Amends TCA Title 45. by *Curtiss.

***House Bill No. 3469** -- Taxes, Privilege - Eliminates restriction that only the state may tax transfers of realty. Amends TCA Title 67. by *Curtiss.

***House Bill No. 3470** -- Taxes, Privilege - Authorizes counties and metropolitan governments that qualify as rapid growth areas to levy taxes or fees to defray cost of growth. Amends TCA Title 67. by *Curtiss.

House Bill No. 3471 -- Employees, Employers - Creates more requirements for sponsoring trade associations pooling their workers' compensation liabilities. Amends TCA Title 50. by *Curtiss.

House Bill No. 3472 -- Assessors - Authorizes the local assessor of property to assess certain types of utility, pipeline and transportation companies if the person or company is wholly located in the county in which the assessor of property serves. Amends TCA Title 67. by *Curtiss.

House Bill No. 3473 -- Boards and Commissions - Requires electrical, mechanical or HVAC contractors and their employees with access to diagrams or other sensitive information regarding monitored, installed or proposed alarm systems to register with the state board for licensing alarm systems contractors. Amends TCA Title 62. by *Curtiss.

House Bill No. 3474 -- Privacy, Confidentiality - Enacts the "Tennessee Financial Information Privacy Act." Amends TCA Title 47, Chapter 18. by *Curtiss.

House Bill No. 3475 -- Banks and Financial Institutions - Revises the manner in which state banks may organize; permits state banks or trust companies to organize as a limited liability company. Amends TCA Title 45, Chapter 2. by *Curtiss.

House Bill No. 3476 -- Taxes, Real Property - Authorizes any county or municipality to appropriate funds for property tax relief for elderly and disabled homeowners and disabled veterans. Amends TCA Section 67-5-701(j). by *Curtiss.

House Bill No. 3477 -- Gambling - Authorizes certain gambling devices in Tennessee under certain circumstances. Amends TCA Title 39, Chapter 17. by *Curtiss.

House Bill No. 3478 -- Real Property - Requires that contracts for the sale of residential real estate disclose the results of any percolation test performed on the property. Amends TCA Title 47; Title 62 and Title 66. by *Curtiss.

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House Bill No. 3479 -- Insurance Companies, Agents, Brokers, Policies - Establishes criteria for participants in pooling agreements to qualify and remain as self-insurers. Amends TCA Title 56, Chapter 26, Part 2. by *Ferguson.

House Bill No. 3480 -- Taxes, Business - Exempts from the business tax real estate licensees and real estate brokerage firms. Amends TCA Section 67-4-708. by *Ferguson.

***House Bill No. 3481** -- Uniform Commercial Code - Requires contracts between consignors and consignees to sell personal property on consignment to contain certain language concerning the right of the consignor to file a UCC-1 to protect the consignee's security interest in the property; requires an entity that sells not only its own items but also consigned items to post a sign indicating that it sells consigned items. Amends TCA Title 47. by *Kernell.

House Bill No. 3482 -- Taxes, Tobacco, Tobacco Products - Increases the cigarette tax from 10 mills per cigarette to \$.585 cents per cigarette. Amends TCA Title 67, Chapter 4; Title 68 and Title 71, Chapter 5. by *Shaw, *Armstrong.

House Bill No. 3483 -- Taxes, Tobacco, Tobacco Products - Increases cigarette tax from ten mills per cigarette to 4.585 cents per cigarette. Amends TCA Section 67-4-1004. by *Shaw, *Armstrong.

House Bill No. 3484 -- Taxes, Tobacco, Tobacco Products - Increases the tax on cigarettes from 10 mills per cigarette to 4.585 cents per cigarette. Amends TCA Title 67, Chapter 4; Title 67, Chapter 6; Title 68 and Title 71, Chapter 5. by *Shaw, *Armstrong.

***House Bill No. 3485** -- Education - Removes the requirement that the Tennessee foreign language institute be attached to the board of regents for administrative purposes. Amends TCA Title 49, Chapter 50, Part 13. by *DeBerry J.

House Bill No. 3486 -- Telecommunications - Specifies certain procedures that apply to permitting residential subscribers to object to their local exchange service concerning receiving telemarketing solicitations. Amends TCA Title 65, Chapter 4, Part 4. by *Lynn.

House Bill No. 3487 -- Criminal Offenses - Extends doctrine of self-defense to permit same use of deadly force now allowed in a person's residence to other dwellings and vehicles and expressly provides that person is immune from criminal prosecution or civil liability for lawful exercise of self-defense. Amends TCA Title 39, Chapter 11, Part 6. by *Johnson R.

House Bill No. 3488 -- County Officers - Enacts the "Uniform Constable Accountability Act of 2006." Amends TCA Title 8, Chapter 10 and Title 55, Chapter 9, Part 4. by *Hackworth, *Hill.

House Bill No. 3489 -- Motor Vehicles - Requires manufacturer to give a consumer or lessee of a new motor vehicle an explanation of motor vehicle warranties law in this state within a reasonable period of time. Amends TCA Title 55, Chapter 24. by *West.

House Bill No. 3490 -- Juvenile Offenders - Creates the department of juvenile justice. Amends TCA Title 4; Title 8; Title 33; Title 34; Title 36; Title 37 and Title 39. by *Turner M.

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House Bill No. 3491 -- TennCare - Requires the comptroller to report to the select oversight committee on TennCare concerning financial and other impacts of recent changes in the TennCare program by January 15, 2007. Amends TCA Title 3; Title 4; Title 33; Title 56; Title 68 and Title 71. by *Turner M.

House Bill No. 3492 -- Solid Waste Disposal - Allows a permit to be granted for the creation and operation of a landfill if the landfill is used exclusively for the disposal of construction and demolition waste produced by the reclamation of an inactive rock quarry for park or recreational use. Amends TCA Title 68, Chapter 211, Part 1. by *Moore.

House Bill No. 3493 -- Sales - Prohibits sale within and importation of secondhand mattresses to state by manufacturers, wholesalers and retailers; prohibits offer of comfort exchange policies pursuant to sale of mattresses. Amends TCA Title 68, Chapter 15, Part 2. by *Moore.

House Bill No. 3494 -- Highway Signs - "First Lieutenant I.J. Wright Memorial Parkway," U.S. Highway 411 in City of Benton. by *Watson E.

***House Bill No. 3495** -- Veterinarians - Designates artificial insemination of livestock as an accepted livestock management practice rather than veterinary medical service; requires board of veterinary medical examiners to refund all monetary fines and civil penalties imposed and collected in current and previous fiscal year for artificial insemination of livestock without veterinary medical license upon application therefor by persons fined for such practice. Amends TCA Title 63, Chapter 12. by *Bone.

House Bill No. 3496 -- Claims Commission, Tennessee - Requires mediators be available to each department of state government for claims filed against the state; authorizes claimants to skip mediation and file with the Tennessee claims commission or the board of claims. Amends TCA Title 9, Chapter 8. by *Harmon.

***House Bill No. 3497** -- Lobbying, Lobbyists - Increases amount of time lobbyist or employer of lobbyist has to register or modify registration statements from no later than seven days to no later than 10 days. Amends TCA Title 2, Chapter 10 and Title 3, Chapter 6. by *Mumpower, *Davidson.

***House Bill No. 3498** -- Lobbying, Lobbyists - Authorizes an individual, who no longer engages in lobbying for compensation, to request the ethics commission place his or her lobbyist registration on inactive status for the remainder of the registration year. Amends TCA Title 3, Chapter 6, Part 3. by *Mumpower, *Davidson.

House Bill No. 3499 -- Medical Occupations - Entitles members of health-related boards to attend national meetings related to the subject area of the board on which the member sits and to receive travel reimbursement for such meetings. Amends TCA Title 63, Chapter 1. by *Mumpower.

House Bill No. 3500 -- Insurance, Motor Vehicles - Decreases qualifying age for premium reductions for completing accident prevention course for older drivers from 55 years of age to 50 years of age. Amends TCA Section 56-7-1107. by *Eldridge.

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House Bill No. 3501 -- Health Care - Requires health care provider to inform an expectant mother that she may donate umbilical cord blood from her newborn. Amends TCA Title 68, Chapter 32. by *Eldridge, *Hensley, *Maggart, *Cobb, *Crider, *Niceley, *Bunch, *Casada, *Davis, *Brooks (Knox), *Dunn, *McCormick, *McDaniel, *Baird, *Todd.

House Bill No. 3502 -- Physicians and Surgeons - Prevents any state program from excluding, restricting or penalizing physician referrals on the basis of conflict of interest unless the referral violates the state physician referral statute or federal law. Amends TCA Title 63. by *Eldridge.

House Bill No. 3503 -- Correctional Programs - Makes various definitional changes to TRICOR law and permits board, with approval of department of personnel, to redesignate certain positions unique to TRICOR as executive service positions and under exclusive control of board. Amends TCA Title 41, Chapter 22, Part 4. by *McKee, *Pinion, *Harmon, *Briley, *Turner L, *Curtiss.

House Bill No. 3504 -- Correctional Programs - Extends select oversight committee on corrections from adjournment of regular session of general assembly convened in 2005 to adjournment of regular session of general assembly convened in 2007. Amends TCA Section 3-15-109. by *McKee, *Pinion, *Harmon, *Briley, *Turner L, *Curtiss.

House Bill No. 3505 -- Mass Transit - Requires any arbitration that occurs between transportation system employees and their employers to be conducted in accordance with rules of the American Arbitration Association and state law. Amends TCA Title 7, Chapter 56. by *Tindell.

House Bill No. 3506 -- Workers' Compensation - Exempts certain self-insured governmental entities from posting security to guarantee workers' compensation payments. Amends TCA Section 50-6-405. by *Tindell.

House Bill No. 3507 -- Auctions and Auctioneers - Exempts from requirement of auctioneer license fixed price or timed listings sales that allow bidding on Internet Web site but do not constitute simulcast of live auction. Amends TCA Section 62-19-103. by *Tindell.

House Bill No. 3508 -- Alcoholic Beverages - Requires any person who stores, handles, distributes, or delivers alcoholic beverages other than for personal use to have wholesale or retail license or be employed by such licensee, except locations where consumption of alcoholic beverages on premises is authorized by statute. Amends TCA Section 57-3-103. by *Tindell.

House Bill No. 3509 -- Alcoholic Beverages - Prohibits manufacturer's representative, employee or agent from providing direct services to retailer or licensed premises where sales and consumption of alcoholic beverages are permitted including shelving, stocking, pricing or assisting customers. Amends TCA Section 57-3-405. by *Tindell.

House Bill No. 3510 -- Taxes, Real Property - Requires assessors to use income approach to appraise affordable rental housing. Amends TCA Title 13 and Title 67. by *Tindell.

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House Bill No. 3511 -- Animal Control - Establishes assistance program to reimburse eligible counties and municipalities for direct costs incurred in making available spay/neuter surgeries for cats and dogs to low-income persons; establishes statewide education program relative to benefits of spaying and neutering dogs and cats; creates spay/neuter fund to fund such programs and establishes revenue stream for such fund. Amends TCA Title 44, Chapter 17 and Title 55, Chapter 4, Part 2. by *Tindell.

House Bill No. 3512 -- Interest Rates - Defines the term "account purchase transaction." Amends TCA Title 47, Chapter 14. by *Sargent.

House Bill No. 3513 -- Pest Control - Requires the University of Tennessee to conduct a study program on black fly suppression in Greenbrier Valley and certain areas near Pigeon River. Amends TCA Title 43, Chapter 6. by *Yokley.

***House Bill No. 3514** -- Solid Waste Disposal - Prohibits the use of funds derived from the facility inspection fee increase for the inspection or post-closure maintenance of closed solid waste disposal facilities that received an operation permit prior to closure. Amends TCA Title 68, Chapter 203 and Title 68, Chapter 211. by *Fraley.

House Bill No. 3515 -- Milk, Dairy Products - Establishes basic standards under which the safety of raw unpasteurized milk shall be tested and regulated. Amends TCA Title 53, Chapter 3. by *Casada.

***House Bill No. 3516** -- Firearms and Ammunition - Prohibits certain persons from prohibiting persons possessing a handgun carry permit from transporting and storing a firearm out of sight in a locked vehicle on any property set aside for vehicles. Amends TCA Title 39, Chapter 17, Part 13. by *Casada.

***House Bill No. 3517** -- Mental Illness - Limits universal testing or screening of juveniles under federal mental health programs. Amends TCA Title 9, Chapter 4, Part 57 and Title 49, Chapter 2, Part 1. by *Cochran, *Tidwell, *Shepard, *Turner M, *Campfield, *Gresham, *Harwell, *Niceley, *Godsey, *Hensley, *Hill, *Dunn, *Baird, *Swafford, *Eldridge, *Davis, *Mumpower, *Rowland, *Casada, *Hargett, *Johnson P, *Pinion, *Brooks (Knox), *McCormick, *Fowlkes, *Kernell, *Crider, *McDaniel, *Watson B, *Stanley, *Jones S, *DeBerry J, *Maggart, *Todd, *Windle, *Davidson, *Bone, *Turner L, *Montgomery, *Cobb, *DuBois, *Pruitt, *Vaughn, *Hawk, *Harrison, *Watson E.

***House Bill No. 3518** -- Sexual Offenders - Requires a juvenile who is found to be delinquent for engaging in conduct that, if engaged in by an adult, would constitute sexual offense or violent sexual offense to register with sex offender registry as sex offender. Amends TCA Title 37 and Title 40, Chapter 39. by *Cochran.

House Bill No. 3519 -- Powers of Attorney - Authorizes court to revoke power of attorney upon showing of abuse of power; creates a no bond option; provides that certain persons may request a quarterly accounting from attorney in fact; creates an acceptance of appointment form for attorney in fact and warning statement to be signed by principal. Amends TCA Title 34, Chapter 6. by *Cochran.

House Bill No. 3520 -- Real Property - Requires newspapers to charge their lowest available advertising rates for foreclosure of real estate notices. Amends TCA Section 8-21-1301; Title 26, Chapter 5, Part 1 and Title 35, Chapter 5, Part 1. by *Cochran.

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House Bill No. 3521 -- Education, Higher - Requires students seeking Tennessee student assistance awards for postsecondary education to have completed high school or have a GED; requires THEC to study and report on appropriateness of requiring for-profit institutions seeking authorization to operate to be accredited by a regional accrediting association. Amends TCA Title 49, Chapter 4 and Title 49, Chapter 7. by *Maddox.

House Bill No. 3522 -- Education - Requires LEAs to implement a program to identify children at risk for obesity. Amends TCA Title 49, Chapter 6. by *Maddox.

House Bill No. 3523 -- Education - Excuses children from school on days of deployment and return from deployment for military service of a parent or guardian. Amends TCA Title 49, Chapter 6, Part 30. by *Maddox.

House Bill No. 3524 -- Drugs - Punishes teen athletes who use steroids by removing their eligibility to compete in interscholastic events for two years. Amends TCA Title 39, Chapter 17; Title 49, Chapter 5 and Title 49, Chapter 6. by *Maddox.

House Bill No. 3525 -- Education - Requires state board of education to promulgate rules and regulations for registration of educational institutions granting high school diplomas through completion of correspondence courses; requires department of education to administer such rules and regulations. Amends TCA Title 49. by *Maddox.

House Bill No. 3526 -- Education, Higher - Requires public higher education institutions to place warnings concerning misrepresentation of academic credentials in catalogs, on Web sites, and in employment contracts for positions requiring academic credentials. Amends TCA Title 39, Chapter 17 and Title 49, Chapter 7. by *Maddox.

House Bill No. 3527 -- Criminal Offenses - Classifies the action of accepting valuable consideration in exchange for using the publicly recognizable symbols of public office to influence the outcome of an election or to promote a candidate as constituting the Class C felony offense of buying or selling in regard to offices. Amends TCA Title 39, Chapter 16. by *Dunn.

House Bill No. 3528 -- Education - Permits voluntary pre-K program to be operated in the summer at the option of an LEA or its local governing body so that existing school facilities may be used. Amends TCA Title 49, Chapter 6, Part 1. by *Dunn.

***House Bill No. 3529** -- Teachers, Principals and School Personnel - Allows local boards of education to develop differentiated compensation plans for recruitment and retention of mathematics and science teachers. Amends TCA Title 49. by *Harwell.

House Bill No. 3530 -- Judges and Chancellors - Revises the selection criteria for the judicial selection commission. Amends TCA Title 17, Chapter 4. by *Harwell.

House Bill No. 3531 -- Driver Licenses - Requires that applicants for certificates for driving establish proof of residency in Tennessee. Amends TCA Title 55, Chapter 50, Part 3. by *Pinion.

***House Bill No. 3532** -- Highway Signs - "Danny S. Young Memorial Bridge," State Route 386 (Vietnam Veterans Boulevard) in Sumner County. by *McDonald, *Maggart.

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House Bill No. 3533 -- Liens - Rewrites provisions governing mechanics' and materialmen's liens. Amends TCA Title 66, Chapter 11. by *Bunch, *Coleman, *Fowlkes.

House Bill No. 3534 -- Municipal Government - Expands the authority for certain municipal governments to provide cable and related services. Amends TCA Title 7, Chapter 52. by *Fowlkes, *Mumpower.

***House Bill No. 3535** -- Courts - Authorizes a county or counties to create a position of judicial referee in such county to assist the trial judges by hearing preliminary non-dispositive civil and criminal matters such as evidentiary motions, take plea agreements and hear civil matters such as uncontested adoptions and divorces. Amends TCA Title 16, Chapter 2, Part 5. by *Fowlkes, *Sontany, *Coleman.

House Bill No. 3536 -- Physicians and Surgeons - Authorizes certain reasonable restrictive covenants between a physician and the employing medical group. Amends TCA Section 63-6-204. by *Overbey.

House Bill No. 3537 -- Motor Vehicles - Clarifies that motor vehicle salesperson may become a salesperson at a new place of employment upon submission of such person's license to the commission for endorsement of change of location and payment of any fees due. Amends TCA Title 55, Chapter 17. by *Overbey.

House Bill No. 3538 -- Taxes, Privilege - Extends jurisdiction to collect revenue from general sessions courts to include circuit and chancery courts. Amends TCA Title 67. by *Overbey.

House Bill No. 3539 -- Tort Liability and Reform - Enacts the "Silica Compensation Fairness Act." Amends TCA Title 29, Chapter 34. by *Overbey.

House Bill No. 3540 -- Highways, Roads and Bridges - Establishes presumptions of proximate cause of death, injury or damage for certain motor vehicle accidents occurring within a construction zone; establishes immunity from claims for personal injury, property damage or death arising from certain department of transportation projects. Amends TCA Title 8, Chapter 42; Title 12, Chapter 4; Title 29 and Title 54. by *Overbey.

House Bill No. 3541 -- Day Care - Requires department of human services to promulgate rules mandating that child care agencies have carbon monoxide and natural gas detectors on the premises. Amends TCA Title 71, Chapter 3, Part 5. by *Kernell.

House Bill No. 3542 -- General Assembly - Prohibits members of general assembly who are attorneys from practicing before a board or commission over which they have direct oversight. Amends TCA Title 2, Chapter 10 and Title 3, Chapter 6. by *Kernell.

***House Bill No. 3543** -- Natural Disaster - Creates west Tennessee seismic safety commission to study ways to mitigate earthquake damage in west Tennessee. Amends TCA Title 58. by *Kernell.

House Bill No. 3544 -- Boards and Commissions - Requires members of Tennessee commission of Indian affairs to be residents of area from which they are selected; clarifies that members must represent unique areas of the state. Amends TCA Section 4-34-104. by *Kernell.

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***House Bill No. 3545** -- Campaigns and Campaign Finance - Authorizes payment of interest to candidate in an amount over the prime rate upon show of proof by candidate that higher amount is the actual cost of capital to the candidate. Amends TCA Title 2, Chapter 10 and Title 3, Chapter 6. by *Kernell.

House Bill No. 3546 -- Ethics - Requires members of Tennessee ethics commission and registry of election finance to recuse themselves on certain matters if member's immediate family makes campaign contributions to a candidate, participates in an election campaign, or lobbies or employs a lobbyist. Amends TCA Title 2, Chapter 10 and Title 3, Chapter 6. by *Kernell.

House Bill No. 3547 -- Local Education Agency - Allows LEA to contract for commercial advertising on rear quarter panels of school buses; requires LEA to adopt policy concerning content of such advertising. Amends TCA Title 49, Chapter 6, Part 21. by *McCormick.

***House Bill No. 3548** -- Redistricting, Congressional - Enacts "Tennessee Fair and Independent Congressional Redistricting Act of 2006." Amends TCA Title 2, Chapter 16; Title 4, Chapter 16, Part 1 and Title 8, Chapter 4. by *Harwell.

House Bill No. 3549 -- Health Care - Establishes the Tennessee Cervical Cancer Elimination Task Force. Amends TCA Title 68. by *Marrero, *Sontany, *DeBerry L, *Rowe, *Brooks (Shelby), *DeBerry J, *Jones S, *Cooper B, *Favors.

House Bill No. 3550 -- Game and Fish Laws - Authorizes the Wildlife Resources Commission to promulgate rules and regulations to create a one-year, one-time only permit for a fee to exempt certain persons from completing hunter education course requirements. Amends TCA Section 70-2-108. by *McCord, *Johnson R, *Borchert, *Baird, *Fraley, *Tidwell, *Johnson P, *Niceley.

House Bill No. 3551 -- Municipal Government - Exempts church-owned property in premier type tourist resort city from special assessment to pay for infrastructure improvements for which such city issues improvement bonds. Amends TCA Section 7-33-310. by *McCord.

House Bill No. 3552 -- Game and Fish Laws - Removes prohibition on hunting deer, bear, wild elk or wild boar with a shotgun using ammunition loaded with more than one solid ball, a rifle using rim-fire cartridges or a rifle loaded with center-fire ammunition of less than .24 caliber. Amends TCA Section 70-4-116. by *McCord.

House Bill No. 3553 -- Municipal Government - Specifies conditions under which a municipality may loan or contribute funds to an industrial development corporation. Amends TCA Title 6, Chapter 54. by *McCord, *Overbey.

***House Bill No. 3554** -- Garnishments and Executions - Authorizes a garnishee employer to collect a 5 percent processing fee on each payment of a judgment debtor's garnished earnings. Amends TCA Title 26. by *McCord.

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House Bill No. 3555 -- Alcoholic Beverages - Requires any person applying for a permit to sell beer to agree to submit to a TBI and FBI criminal history background check, to submit fingerprint samples and to pay the costs incurred for conducting such background checks; exempts person or entity if previous applications and record checks have been conducted within one year of date of later application if such applicant is in good standing with beverage board. Amends TCA Section 57-5-103. by *Godsey, *Vaughn.

***House Bill No. 3556** -- TennCare - Requires emergency and non-emergency ambulance services for TennCare enrollees to be reimbursed at same rate as medicare pays for the same services. Amends TCA Title 71, Chapter 5. by *Godsey, *Vaughn.

House Bill No. 3557 -- Criminal Offenses - Expands Class A misdemeanor involving sexual contact with inmates to all correctional employees, providers, contractors, vendors or volunteers. Amends TCA Title 41, Chapter 21, Part 2. by *Sontany, *Odom, *West, *Langster, *Jones S, *Harwell, *Pruitt, *Turner M, *Briley, *Moore.

House Bill No. 3558 -- Pharmacy, Pharmacists - Authorizes pharmacists under the Tennessee Affordable Drug Act of 2005 to dispense a more expensive generic equivalent drug covered under the patient's drug plan, if the prescriber prescribes the least expensive generic equivalent and the patient requests and is willing to pay the difference between the more expensive and least expensive generic equivalent prescribed. Amends TCA Title 53, Chapter 10, Part 2. by *Kernell.

House Bill No. 3559 -- Banks and Financial Institutions - Requires banks to credit electronic transfers to a customer's account before processing a debit against that account on the same business day. Amends TCA Title 45, Chapter 2 and Title 47, Chapter 4. by *Kernell.

House Bill No. 3560 -- Pharmacy, Pharmacists - Establishes a pilot program permitting certain donated prescription medications to be dispensed to patients at charitable clinics. Amends TCA Title 63 and Title 68. by *Odom, *Jones S, *West, *Langster, *Harwell, *Pruitt, *Turner M, *Briley, *Moore, *Sontany.

House Bill No. 3561 -- Criminal Offenses - Expands Class A misdemeanor of escaping from a penal institution to those persons lawfully being held for a civil offense. Amends TCA Section 39-16-605. by *Sontany, *Odom, *Jones S, *West, *Langster, *Harwell, *Rinks, *Watson B, *Briley, *Moore.

House Bill No. 3562 -- Mental Illness - Authorizes a pilot project for Davidson County for the delivery of behavioral health services. Amends TCA Title 7; Title 33 and Title 68. by *Odom, *Jones S, *West, *Langster, *Sontany, *Harwell, *Pruitt, *Turner M, *Moore, *Briley.

House Bill No. 3563 -- State Employees - Requires the state insurance committee to set deductibles for participants in the state employee health plan on the basis of a salary based sliding scale that is set in a revenue neutral manner. Amends TCA Title 8. by *Kernell.

***House Bill No. 3564** -- Homestead Exemptions - Doubles the homestead exemption from \$5,000 to \$10,000 for individuals and from \$7,500 to \$15,000 for married couples, who earn less than the state's median income for six consecutive months or who earn more than the state's median income for such period and have less than \$6,000 remaining after the trustee calculates earnings minus expenses over the 60-month period preceding filing for bankruptcy. Amends TCA Section 26-2-301. by *Kernell.

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***House Bill No. 3565** -- Campaigns and Campaign Finance - Limits fundraising for members of the general assembly during special session; limits members' ability to fundraise in certain circumstances from January 1 until the beginning of regular session. Amends TCA Title 2, Chapter 10, Part 3. by *Kernell.

House Bill No. 3566 -- Salaries and Benefits - Expands the present \$25,000 death benefit paid to the estate of volunteer firefighters who are killed in the line of duty to include full-time firefighters, sheriffs, sheriff's deputies and police officers. Amends TCA Title 7, Chapter 51, Part 2. by *Turner M, *Odom, *Langster, *Jones S, *Moore, *Pruitt, *Sontany, *Miller L, *Jones U, *Pleasant, *Davidson, *Curtiss, *Hood.

***House Bill No. 3567** -- Consumer Protection - Makes it an unfair or deceptive act under the Consumer Protection Act for any person to sell or offer to sell a passenger motor vehicle in this state that has been damaged in a flood. Amends TCA Title 47 and Title 55. by *Jones U, *DeBerry J, *Marrero, *Rowe, *Godsey, *Miller L.

***House Bill No. 3568** -- Alcoholic Beverages - Authorizes the sale of alcoholic beverages at a facility operated by the Newport Tennessee Theater Guild. Amends TCA Section 57-4-102. by *Jones U.

House Bill No. 3569 -- Municipal Government - Limits a municipality's authorization to enter into a business relationship with a third party to provide cable, Internet, or related services to a joint venture; requires disclosure of information related to such agreements; clarifies that both a vote of a legislative body and a referendum may be held to approve the provision of cable and Internet services; and prohibits a municipal electric system from loaning funds to or subsidizing with revenues a division created to provide cable and Internet services. Amends TCA Title 7, Chapter 52. by *Jones U.

House Bill No. 3570 -- Alcoholic Beverages - Allows manufacturer's license to be issued to person or firm for the limited purpose of blending nonalcoholic products with alcoholic beverages on premises. Amends TCA Section 57-3-202 and Section 57-3-210(d). by *Jones U.

House Bill No. 3571 -- Alcoholic Beverages - Expands definition of a premier type tourist resort to include certain specified recreational or tourist facility for purposes of consumption of alcoholic beverages on premises. Amends TCA Section 57-4-102(24). by *Jones U.

***House Bill No. 3572** -- Taxes - Applies the current refund of Tennessee sales and use taxes paid by a motion picture production company to companies located both inside as well as outside the state unless such company receives a film investor tax credit for the same production; creates transferable film investor tax credits against franchise and excise taxes. Amends TCA Title 67. by *Tindell.

House Bill No. 3573 -- State Government - Enacts the "Advocacy for Honest and Appropriate Government Spending Act." Amends TCA Title 8, Chapter 4. by *Kernell, *Fitzhugh.

House Bill No. 3574 -- Purchasing - Allows commissioner of general services to establish procedure by which the state may purchase from a list of vendors determined by competitive bidding. Amends TCA Title 4; Title 12, Chapter 4 and Title 12, Chapter 3. by *Fitzhugh.

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House Bill No. 3575 -- Taxes, Tobacco, Tobacco Products - Establishes credit for tobacco dealers and distributors for taxes paid on tobacco product debts; prohibits credit to be given unless bad debt has been charged off as uncollectible on dealers' or distributors' books. Amends TCA Title 67, Chapter 4, Part 10. by *Litz.

***House Bill No. 3576** -- Taxes, Sales - Permits nonprofit organizations and public schools to conduct three fundraising events per year in which sales of tangible personal property are made with the first two events being considered nontaxable occasional and isolated sales and with sales during the third event being taxable sales. Amends TCA Section 67-6-102. by *Litz.

House Bill No. 3577 -- Business and Commerce - Requires a business entity to ask for a government issued photo identification card prior to taking a check in payment of goods or services and visually compare the likeness of the photograph with the person offering the check; removes the ability of the entity to pursue the collection of a stolen check for failure to follow such procedures. Amends TCA Title 47, Chapter 18, Part 1. by *Litz.

***House Bill No. 3578** -- District Attorneys - Creates position of assistant victim-witness coordinator in 10 judicial districts to be designated by the executive director of the district attorneys general conference. Amends TCA Title 8, Chapter 7. by *Sontany.

House Bill No. 3579 -- Criminal Procedure - Expands jurisdiction to intercept communications to judicial districts other than where the interception will occur provided that grounds to intercept exist under provisions governing evidence of homicide. Amends TCA Title 40, Chapter 6, Part 3. by *Coleman.

House Bill No. 3580 -- Courts, General Sessions - Updates the 1998 provision permitting counties to compensate general sessions judges to a greater extent than provided for by law. Amends TCA Title 8 and Title 16. by *Coleman.

House Bill No. 3581 -- Tort Liability and Reform - Confers immunity upon liquefied petroleum gas providers for damages caused by alterations of equipment or the use of liquefied petroleum in a manner other than for its intended purpose. Amends TCA Title 29, Chapter 34, Part 2 and Title 68, Chapter 135, Part 1. by *Coleman.

House Bill No. 3582 -- Criminal Offenses - Permits breastfeeding of an infant 12 months or younger in any location, public or private, that mother is authorized to be; prohibits local governments from criminalizing or restricting breastfeeding. Amends TCA Title 39 and Title 68. by *DeBerry L, *Turner M, *Jones S, *Langster, *Brown, *Favors, *Marrero, *Pruitt, *Curtiss, *Sontany, *McDonald, *Maggart, *Lynn, *Casada, *Davidson, *DeBerry J.

House Bill No. 3583 -- Commerce and Insurance, Dept. of - Requires commissioner to contract with a certain non-profit charitable entity to assist uninsured patients or patients with commercial health insurance or enrolled in TennCare in understanding available coverage, use of appeals and interplay of coverage types, with types of assistance or advice subject to limits of any appropriation in the General Appropriations Act. Amends TCA Title 56. by *Jones S.

House Bill No. 3584 -- Traffic Safety - Corrects an inaccurate acronym reference for Consumer Product Safety Commission to be affixed on crash helmets from CSPM to CPSC. Amends TCA Section 55-9-302. by *Tidwell.

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House Bill No. 3585 -- Nurses, Nursing - Exempts certain nursing programs from nursing school accreditation requirements. Amends TCA Section 63-7-117. by *Odom.

House Bill No. 3586 -- Education - Enacts the "Schools Against Violence in Education Act" also known as the "SAVE Act." Amends TCA Title 49. by *Kernell, *Fowlkes, *DeBerry J.

House Bill No. 3587 -- Abuse - Requires health care providers to report illegal drug use by pregnant women to the department of children services. Amends TCA Title 37; Title 38; Title 39 and Title 40. by *Jones S, *Fowlkes, *DeBerry J.

***House Bill No. 3588** -- Courts, General Sessions - Empowers a judge of the general sessions court to appoint a special referee to hear forcible entry and detainer actions between landlords and tenants; includes procedures for appeal. Amends TCA Title 16, Chapter 15 and Title 29, Chapter 18. by *Matheny.

House Bill No. 3589 -- Criminal Offenses - Increases punishment for offense of statutory rape from Class E to Class D felony if defendant is 10-20 years older than victim and to Class C felony if defendant is more than 20 years older than the victim. Amends TCA Title 39 and Title 40. by *DuBois.

House Bill No. 3590 -- Eminent Domain - Revises and reorganizes requirements for eminent domain. Amends TCA Section 5-7-101; Title 12; Title 29, Chapter 17 and Title 29, Chapter 16. by *DuBois.

House Bill No. 3591 -- Economic and Community Development, Dept. of - Requires department to develop the Tennessee African American Heritage and Attractions Guide. Amends TCA Title 4, Chapter 3. by *Armstrong, *Favors, *Langster, *Cooper B, *Brooks (Shelby), *DeBerry J, *Vaughn, *Turner L, *Rowe, *Jones U, *Shaw, *Montgomery, *Turner M, *DeBerry L.

House Bill No. 3592 -- Firearms and Ammunition - Adds stun guns and similar devices to the list of weapons prohibited for most persons other than military personnel and law enforcement officers. Amends TCA Section 39-17-1302. by *Curtiss.

***House Bill No. 3593** -- Employees, Employers - Requires employer contracting with independent contractor who will be issued IRS Form 1099-MISC to verify independent contractor's taxpayer identification number with social security administration. Amends TCA Title 50 and Title 67. by *Rowland.

House Bill No. 3594 -- Criminal Procedure - Abolishes death penalty. Amends TCA Title 39, Chapter 13, Part 2. by *Turner L, *Marrero.

House Bill No. 3595 -- County Government - Moves Knox County from the designation as a county of the second class to the designation as a county of the first class for purposes other than determining compensation for the various county officers. Amends TCA Section 8-24-101. by *Turner L, *Marrero.

House Bill No. 3596 -- Teachers, Principals and School Personnel - Requires a director of schools to provide a dismissal hearing for nonlicensed employees and follow procedures currently required for licensed, nontenured employees. Amends TCA Title 49, Chapter 2, Part 3. by *Turner L, *Marrero.

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***House Bill No. 3597** -- Mortgages - Enacts the "Tennessee Home Protection Act of 2006." Amends TCA Title 47. by *Turner L, *Marrero, *DeBerry J, *Jones U, *DeBerry L, *Brooks (Shelby), *Kernell, *Sontany, *Rowe, *Miller L.

***House Bill No. 3598** -- Professions and Occupations - Adds the Tech in Surgery-Certified exam offered by the National Center for Competency Testing as authorized examination for surgical technologists; adds Accreditation Bureau of Health Education Schools as authorized organization to accredit programs for surgical technology. Amends TCA Section 68-57-101. by *Favors, *Shepard.

House Bill No. 3599 -- Malpractice, Professional - Requires reported malpractice claims data to include certain damage and defense expenses, and requires such data to include the social security number of claimants only if it is known to the reporting entity. Amends TCA Section 56-54-101. by *Sargent, *Odom.

House Bill No. 3600 -- Medical Occupations - Extends present immunity for volunteer health care services provided at a clinic that is organized in whole or in part for the delivery of health care services without charge to include such clinics organized for delivery of health care services for a nominal charge. Amends TCA Title 63, Chapter 1 and Title 63, Chapter 6, Part 7. by *Mumpower, *Turner M, *Odom.

House Bill No. 3601 -- Civil Procedure - Exempts senior psychological examiners from being subpoenaed to trial but permits them to be subpoenaed for deposition. Amends TCA Section 24-9-101. by *Fowlkes.

House Bill No. 3602 -- Education - Allows the Tennessee Intercollegiate State Legislature to use the state capitol and legislative plaza for up to 10 days each year without being charged for use of the facilities or for security. Amends TCA Title 49, Chapter 3, Part 20. by *Hargett.

House Bill No. 3603 -- Employees, Employers - Permits any employer offering employer sponsored health insurance to employees to provide a payroll deduction for the employee portion of such premiums on the request of any participating employee. Amends TCA Title 50 and Title 56. by *Stanley.

House Bill No. 3604 -- Tobacco, Tobacco Products - Allows cities, counties and counties having a metropolitan form of government to enact legislation by ordinance banning smoking in public buildings and restaurants within their legal jurisdiction. Amends TCA Title 39, Chapter 17, Part 15. by *Stanley.

House Bill No. 3605 -- Courts, Juvenile - Clarifies that a permanent guardianship order is to specify the extent of information sharing between the parents and the child, not between relatives and the child. Amends TCA Section 37-1-803. by *Stanley.

House Bill No. 3606 -- Probate Law - Authorizes appointment of person not named in decedent's will or related to decedent as affiant for administration of small estate. Amends TCA Section 30-4-103. by *Stanley.

House Bill No. 3607 -- Tort Liability and Reform - Limits liability of certain 501(c)(3) corporations. Amends TCA Title 29 and Title 48. by *Stanley.

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House Bill No. 3608 -- Campaigns and Campaign Finance - Prohibits a member of the general assembly from soliciting or accepting contributions for federal office from entities with PACs which contribute to state races unless such member's term ends at time of federal election. Amends TCA Title 2, Chapter 10, Part 3. by *Jones U.

House Bill No. 3609 -- Alcoholic Beverages - Specifies that art gallery authorized to serve wine to patrons without paying fees and taxes for such privilege may not serve wine to a patron under legal drinking age. Amends TCA Title 57, Chapter 4. by *Jones U.

***House Bill No. 3610** -- Cemeteries - Authorizes eligible persons access to cemeteries and graves on private property; requires persons to exercise care not to damage such property; authorizes injunctive relief if eligible persons are denied access to a cemetery or graves on private property. Amends TCA Title 46. by *Jones S, *Shepard.

House Bill No. 3611 -- Taxes - Decreases the sales tax rate on food from 6 percent to 3 percent; increases the cigarette tax rate from 10 mills per cigarette to 3.25 cents per cigarette on July 1, 2006, and further increases the cigarette tax rate each subsequent July 1 until July 1, 2016, by the greater of 0.15 cent or the amount needed to offset the loss in revenue incurred by the decrease in the sales tax on food. Amends TCA Section 67-4-1004 and Section 67-6-228(a). by *Odom, *Armstrong, *Harwell, *Turner M, *Miller L, *Hensley, *Swafford.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

***House Bill No. 3031** -- Taxes, Exemption and Credits -- House Finance, Ways and Means Committee

***House Bill No. 3032** -- Economic and Community Development -- House Commerce Committee

***House Bill No. 3033** -- Taxes, Sales -- House Finance, Ways and Means Committee

***House Bill No. 3034** -- Taxes, Sales -- House Finance, Ways and Means Committee

***House Bill No. 3035** -- Education, State Board of -- House Government Operations Committee

***House Bill No. 3036** -- Bradley County -- Local Bill Held on House Desk

House Bill No. 3037 -- Lottery, Charitable -- House State and Local Government Committee

***House Bill No. 3038** -- Laundries and Dry Cleaners -- House Commerce Committee

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- *House Bill No. 3039** -- Courts, Municipal -- House Judiciary Committee
- *House Bill No. 3040** -- Lottery, Scholarships and Programs -- House Education Committee
- *House Bill No. 3041** -- Health Care -- House Government Operations Committee
- *House Bill No. 3042** -- Comptroller, State -- House Finance, Ways and Means Committee
- *House Bill No. 3043** -- County Government -- House State and Local Government Committee
- *House Bill No. 3044** -- Child Custody and Support -- House Children and Family Affairs Committee
- House Bill No. 3045** -- Hospitals and Health Care Facilities -- House Commerce Committee
- House Bill No. 3046** -- Insurance, Health, Accident -- House Commerce Committee
- House Bill No. 3047** -- Planning, Public -- House State and Local Government Committee
- *House Bill No. 3048** -- Funeral Directors and Embalmers -- House Transportation Committee
- *House Bill No. 3049** -- Insurance Companies, Agents, Brokers, Policies -- House Government Operations Committee
- *House Bill No. 3050** -- Insurance Companies, Agents, Brokers, Policies -- House Government Operations Committee
- *House Bill No. 3051** -- Privacy, Confidentiality -- House Consumer and Employee Affairs Committee
- *House Bill No. 3052** -- Highway Signs -- House Transportation Committee
- *House Bill No. 3053** -- Adoption -- House Children and Family Affairs Committee
- *House Bill No. 3054** -- Criminal Procedure -- House Judiciary Committee
- House Bill No. 3055** -- Students -- House Education Committee
- House Bill No. 3056** -- Alcoholic Beverages -- House State and Local Government Committee
- House Bill No. 3057** -- Judges and Chancellors -- House Judiciary Committee
- *House Bill No. 3058** -- DUI/DWI Offenses -- House Judiciary Committee

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House Bill No. 3059 -- Election Laws -- House Judiciary Committee

***House Bill No. 3060** -- Alcoholic Offenses -- House State and Local Government Committee

House Bill No. 3061 -- Alcoholic Offenses -- House State and Local Government Committee

House Bill No. 3062 -- Drug and Alcohol Rehabilitation -- House Health and Human Resources Committee

***House Bill No. 3063** -- Education, Curriculum -- House Education Committee

***House Bill No. 3064** -- Motor Vehicles -- Caption Bill Held on House Desk

***House Bill No. 3065** -- Pharmacy, Pharmacists -- House Health and Human Resources Committee

***House Bill No. 3066** -- Veterinarians -- House Agriculture Committee

House Bill No. 3067 -- Hospitals and Health Care Facilities -- House Health and Human Resources Committee

***House Bill No. 3068** -- Contractors -- House Judiciary Committee

***House Bill No. 3069** -- Attorneys at Law -- House Judiciary Committee

***House Bill No. 3070** -- Uniform Commercial Code -- House Judiciary Committee

***House Bill No. 3071** -- Solid Waste Disposal -- House State and Local Government Committee

***House Bill No. 3072** -- Special License Plates -- House Transportation Committee

***House Bill No. 3073** -- Highway Patrol -- House Transportation Committee

***House Bill No. 3074** -- Ethics -- House State and Local Government Committee

***House Bill No. 3075** -- Law Enforcement -- House State and Local Government Committee

***House Bill No. 3076** -- Plumbers and Plumbing -- House Government Operations Committee

House Bill No. 3077 -- Labor and Workforce Development, Dept. of -- House Commerce Committee

House Bill No. 3078 -- Business and Commerce -- House Commerce Committee

***House Bill No. 3079** -- Municipal Government -- House State and Local Government Committee

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House Bill No. 3080 -- Real Estate Agents and Brokers -- House Commerce Committee

***House Bill No. 3081** -- Contractors -- House Commerce Committee

***House Bill No. 3082** -- Public Contracts -- House Consumer and Employee Affairs Committee

***House Bill No. 3083** -- Lottery, Charitable -- House State and Local Government Committee

***House Bill No. 3084** -- Insurance Companies, Agents, Brokers, Policies -- House Government Operations Committee

House Bill No. 3085 -- Agriculture, Dept. of -- House Agriculture Committee

***House Bill No. 3086** -- Children -- Caption Bill Held on House Desk

***House Bill No. 3087** -- Health Care -- House Health and Human Resources Committee

***House Bill No. 3088** -- Children -- House Judiciary Committee

***House Bill No. 3089** -- Highway Signs -- House Transportation Committee

***House Bill No. 3090** -- Taxes, Business -- House Finance, Ways and Means Committee

House Bill No. 3091 -- Education, Higher -- House Education Committee

House Bill No. 3092 -- Consumer Protection -- House Consumer and Employee Affairs Committee

***House Bill No. 3093** -- Education -- House Education Committee

***House Bill No. 3094** -- Courts, General Sessions -- House Judiciary Committee

***House Bill No. 3095** -- Education -- House Education Committee

House Bill No. 3096 -- Education, Higher -- House Education Committee

***House Bill No. 3097** -- Scholarships and Financial Aid -- House Education Committee

***House Bill No. 3098** -- Basic Education Program (BEP) -- House Education Committee

***House Bill No. 3099** -- Education, Dept. of -- House Education Committee

***House Bill No. 3100** -- Insurance, Health, Accident -- House Government Operations Committee

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House Bill No. 3101 -- Probation and Parole -- House State and Local Government Committee

House Bill No. 3102 -- Tobacco, Tobacco Products -- House Agriculture Committee

***House Bill No. 3103** -- Contractors -- House Commerce Committee

***House Bill No. 3104** -- Medical Occupations -- House Health and Human Resources Committee

House Bill No. 3105 -- Consumer Protection -- House Consumer and Employee Affairs Committee

***House Bill No. 3106** -- Veterans -- House Education Committee

***House Bill No. 3107** -- Highway Signs -- House Transportation Committee

***House Bill No. 3108** -- Motor Vehicles -- House Consumer and Employee Affairs Committee

House Bill No. 3109 -- Lottery, Scholarships and Programs -- House Education Committee

***House Bill No. 3110** -- Salaries and Benefits -- House State and Local Government Committee

House Bill No. 3111 -- Ethics -- House State and Local Government Committee

House Bill No. 3112 -- Eminent Domain -- House Judiciary Committee

House Bill No. 3113 -- Criminal Procedure -- House Judiciary Committee

House Bill No. 3114 -- Public Records -- House State and Local Government Committee

House Bill No. 3115 -- Utilities, Utility Districts -- House State and Local Government Committee

House Bill No. 3116 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 3117 -- Taxes, Business -- House Commerce Committee

House Bill No. 3118 -- Business and Commerce -- House Commerce Committee

***House Bill No. 3119** -- Flags -- House State and Local Government Committee

***House Bill No. 3120** -- Governor -- Caption Bill Held on House Desk

THURSDAY, FEBRUARY 23, 2006 – FIFTY-SEVENTH LEGISLATIVE DAY

House Bill No. 3121 -- Motor Vehicles -- House Judiciary Committee

House Bill No. 3122 -- Abuse -- Caption Bill Held on House Desk

***House Bill No. 3123** -- Education -- House State and Local Government Committee

***House Bill No. 3124** -- State Government -- House State and Local Government Committee

House Bill No. 3125 -- Tennessee Emergency Management Agency (TEMA) -- House Judiciary Committee

***House Bill No. 3126** -- Police -- House State and Local Government Committee

House Bill No. 3127 -- Sexual Offenses -- House Judiciary Committee

House Bill No. 3128 -- Eminent Domain -- House Judiciary Committee

House Bill No. 3129 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 3130 -- Sexual Offenders -- House Judiciary Committee

***House Bill No. 3131** -- Taxes, Excise -- House Finance, Ways and Means Committee

***House Bill No. 3132** -- Taxes, Sales -- House Finance, Ways and Means Committee

***House Bill No. 3133** -- Civil Procedure -- House Judiciary Committee

***House Bill No. 3134** -- Appeal and Review -- House Judiciary Committee

***House Bill No. 3135** -- Planning, Public -- House State and Local Government Committee

***House Bill No. 3136** -- Schools, Private and Charter -- House Education Committee

***House Bill No. 3137** -- Taxes, Income -- House Government Operations Committee

***House Bill No. 3138** -- Education, Curriculum -- House Education Committee

***House Bill No. 3139** -- Highways, Roads and Bridges -- House Judiciary Committee

***House Bill No. 3140** -- Election Laws -- House State and Local Government Committee

***House Bill No. 3141** -- Criminal Offenses -- House Judiciary Committee

THURSDAY, FEBRUARY 23, 2006 – FIFTY-SEVENTH LEGISLATIVE DAY

- *House Bill No. 3142** -- Tort Liability and Reform -- House Judiciary Committee
- *House Bill No. 3143** -- Child Custody and Support -- House Children and Family Affairs Committee
- *House Bill No. 3144** -- Pest Control -- House Commerce Committee
- *House Bill No. 3145** -- Consumer Protection -- House Judiciary Committee
- *House Bill No. 3146** -- Marriage -- House Government Operations Committee
- *House Bill No. 3147** -- Lobbying, Lobbyists -- House Government Operations Committee
- *House Bill No. 3148** -- Public Health -- House Health and Human Resources Committee
- House Bill No. 3149** -- Women -- House Commerce Committee
- House Bill No. 3150** -- Children's Services, Dept. of -- House Children and Family Affairs Committee
- *House Bill No. 3151** -- Probation and Parole -- House State and Local Government Committee
- *House Bill No. 3152** -- Campaigns and Campaign Finance -- House State and Local Government Committee
- *House Bill No. 3153** -- Professions and Occupations -- House Government Operations Committee
- *House Bill No. 3154** -- Traffic Safety -- House Transportation Committee
- *House Bill No. 3155** -- Tennessee Bureau of Investigation -- House Judiciary Committee
- *House Bill No. 3156** -- Taxes, Sales -- Caption Bill Held on House Desk
- *House Bill No. 3157** -- Annexation -- House State and Local Government Committee
- *House Bill No. 3158** -- Real Property -- Caption Bill Held on House Desk
- *House Bill No. 3159** -- County Government -- House State and Local Government Committee
- House Bill No. 3160** -- Insurance Companies, Agents, Brokers, Policies -- House State and Local Government Committee
- *House Bill No. 3161** -- Military -- Caption Bill Held on House Desk

THURSDAY, FEBRUARY 23, 2006 – FIFTY-SEVENTH LEGISLATIVE DAY

***House Bill No. 3162** -- Veterans' Affairs, Dept. of -- House State and Local Government Committee

***House Bill No. 3163** -- Law Enforcement -- House State and Local Government Committee

***House Bill No. 3164** -- Medical Occupations -- House Government Operations Committee

***House Bill No. 3165** -- Tennessee Emergency Management Agency (TEMA) -- House State and Local Government Committee

***House Bill No. 3166** -- Courts, General Sessions -- House Judiciary Committee

House Bill No. 3167 -- Contractors -- House Commerce Committee

House Bill No. 3168 -- Education -- House Education Committee

House Bill No. 3169 -- Education, Higher -- Caption Bill Held on House Desk

***House Bill No. 3170** -- Pensions and Retirement Benefits -- House Education Committee

***House Bill No. 3171** -- Lottery, Scholarships and Programs -- Caption Bill Held on House Desk

***House Bill No. 3172** -- Education -- House Education Committee

***House Bill No. 3173** -- Education, Higher -- Caption Bill Held on House Desk

House Bill No. 3174 -- Education, Dept. of -- House Government Operations Committee

***House Bill No. 3175** -- Privacy, Confidentiality -- House Consumer and Employee Affairs Committee

House Bill No. 3176 -- Alcoholic Beverages -- House Judiciary Committee

***House Bill No. 3177** -- Taxes, Sales -- House Finance, Ways and Means Committee

***House Bill No. 3178** -- Campaigns and Campaign Finance -- House Government Operations Committee

***House Bill No. 3179** -- Industrial Development -- House State and Local Government Committee

***House Bill No. 3180** -- Basic Education Program (BEP) -- House Education Committee

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***House Bill No. 3181** -- Taxes, Sales -- House Finance, Ways and Means Committee

House Bill No. 3182 -- Unclaimed Property -- House Finance, Ways and Means Committee

***House Bill No. 3183** -- Veterinarians -- House Agriculture Committee

***House Bill No. 3184** -- Veterinarians -- House Government Operations Committee

***House Bill No. 3185** -- Motor Vehicles -- House Transportation Committee

House Bill No. 3186 -- Taxes, Exemption and Credits -- House Government Operations Committee

***House Bill No. 3187** -- Mass Transit -- House Transportation Committee

***House Bill No. 3188** -- Jails, Local Loc -- House State and Local Government Committee

***House Bill No. 3189** -- Sheriffs -- House State and Local Government Committee

***House Bill No. 3190** -- Sheriffs -- House State and Local Government Committee

***House Bill No. 3191** -- Taxes, Litigation -- House State and Local Government Committee

***House Bill No. 3192** -- DUI/DWI Offenses -- House Judiciary Committee

***House Bill No. 3193** -- Election Laws -- House State and Local Government Committee

House Bill No. 3194 -- Alcoholic Offenses -- House Judiciary Committee

***House Bill No. 3195** -- Taxes, Ad Valorem -- House State and Local Government Committee

***House Bill No. 3196** -- Railroads -- House Judiciary Committee

***House Bill No. 3197** -- Local Education Agency -- House Education Committee

House Bill No. 3198 -- Local Education Agency -- House Education Committee

***House Bill No. 3199** -- Abortion -- House Health and Human Resources Committee

House Bill No. 3200 -- Housing -- House State and Local Government Committee

***House Bill No. 3201** -- Taxes, Sales -- House Finance, Ways and Means Committee

THURSDAY, FEBRUARY 23, 2006 – FIFTY-SEVENTH LEGISLATIVE DAY

***House Bill No. 3202** -- Real Property -- House State and Local Government Committee

***House Bill No. 3203** -- Medical Occupations -- House Health and Human Resources Committee

***House Bill No. 3204** -- Insurance, Health, Accident -- House Government Operations Committee

***House Bill No. 3205** -- Chiropractors -- House Health and Human Resources Committee

***House Bill No. 3206** -- TennCare -- House Commerce Committee

***House Bill No. 3207** -- Campaigns and Campaign Finance -- House State and Local Government Committee

House Bill No. 3208 -- Highways, Roads and Bridges -- Caption Bill Held on House Desk

House Bill No. 3209 -- Adoption -- House Children and Family Affairs Committee

***House Bill No. 3210** -- Alcoholic Beverages -- House Government Operations Committee

***House Bill No. 3211** -- Election Laws -- House State and Local Government Committee

***House Bill No. 3212** -- Criminal Offenses -- House Judiciary Committee

House Bill No. 3213 -- Criminal Procedure -- House State and Local Government Committee

House Bill No. 3214 -- Criminal Offenses -- House State and Local Government Committee

House Bill No. 3215 -- Ethics -- House State and Local Government Committee

House Bill No. 3216 -- General Assembly -- House State and Local Government Committee

***House Bill No. 3217** -- Remedies and Special Proceedings -- House Judiciary Committee

***House Bill No. 3218** -- Short Term Loans and Lenders -- House Judiciary Committee

House Bill No. 3219 -- Children -- House Health and Human Resources Committee

House Bill No. 3220 -- TennCare -- House Government Operations Committee

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- House Bill No. 3221** -- Eminent Domain -- House Judiciary Committee
- House Bill No. 3222** -- Adoption -- House Children and Family Affairs Committee
- *House Bill No. 3223** -- Ethics -- House State and Local Government Committee
- House Bill No. 3224** -- Judges and Chancellors -- House Judiciary Committee
- House Bill No. 3225** -- Taxes, Sales -- House Finance, Ways and Means Committee
- House Bill No. 3226** -- Taxes, Sales -- Caption Bill Held on House Desk
- House Bill No. 3227** -- Taxes, Income -- House Finance, Ways and Means Committee
- *House Bill No. 3228** -- Social Workers -- House Health and Human Resources Committee
- House Bill No. 3229** -- Highway Patrol -- House State and Local Government Committee
- *House Bill No. 3230** -- Child Custody and Support -- House Children and Family Affairs Committee
- *House Bill No. 3231** -- Campaigns and Campaign Finance -- House State and Local Government Committee
- *House Bill No. 3232** -- Assessors -- House State and Local Government Committee
- *House Bill No. 3233** -- Taxes, Privilege -- House Finance, Ways and Means Committee
- *House Bill No. 3234** -- Attorneys at Law -- House Judiciary Committee
- *House Bill No. 3235** -- DUI/DWI Offenses -- House Judiciary Committee
- House Bill No. 3236** -- Anatomical Gifts -- House Government Operations Committee
- *House Bill No. 3237** -- Firearms and Ammunition -- House Judiciary Committee
- House Bill No. 3238** -- Abortion -- House Health and Human Resources Committee
- *House Bill No. 3239** -- Judges and Chancellors -- House Judiciary Committee
- House Bill No. 3240** -- Judges and Chancellors -- House Judiciary Committee
- House Bill No. 3241** -- Law Enforcement -- House Transportation Committee

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- House Bill No. 3242** -- Judges and Chancellors -- House Judiciary Committee
- House Bill No. 3243** -- Juvenile Offenders -- House Judiciary Committee
- House Bill No. 3244** -- Local Education Agency -- House Education Committee
- House Bill No. 3245** -- Local Education Agency -- House Education Committee
- House Bill No. 3246** -- Courts, General Sessions -- House Judiciary Committee
- *House Bill No. 3247** -- Law Enforcement Training Academy -- House State and Local Government Committee
- House Bill No. 3248** -- Education -- House Education Committee
- House Bill No. 3249** -- Lottery, Scholarships and Programs -- House Government Operations Committee
- House Bill No. 3250** -- Education, Higher -- House Education Committee
- House Bill No. 3251** -- Taxes, Real Property -- House State and Local Government Committee
- House Bill No. 3252** -- Taxes, Ad Valorem -- House State and Local Government Committee
- House Bill No. 3253** -- Taxes -- House State and Local Government Committee
- *House Bill No. 3254** -- Criminal Offenses -- House Judiciary Committee
- House Bill No. 3255** -- Juries and Jurors -- House Judiciary Committee
- *House Bill No. 3256** -- Fees -- House Judiciary Committee
- *House Bill No. 3257** -- Special License Plates -- House Transportation Committee
- House Bill No. 3258** -- Education, Higher -- House Education Committee
- *House Bill No. 3259** -- Sexual Offenses -- House Judiciary Committee
- *House Bill No. 3260** -- Criminal Procedure -- House Judiciary Committee
- House Bill No. 3261** -- Children's Services, Dept. of -- House Children and Family Affairs Committee
- *House Bill No. 3262** -- Education, Higher -- House Education Committee
- House Bill No. 3263** -- Pensions and Retirement Benefits -- House Finance, Ways and Means Committee
- House Bill No. 3264** -- Taxes, Sales -- Caption Bill Held on House Desk

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House Bill No. 3265 -- Judges and Chancellors -- House Judiciary Committee

House Bill No. 3266 -- Public Officials -- House State and Local Government Committee

House Bill No. 3267 -- Budget Procedures -- Caption Bill Held on House Desk

House Bill No. 3268 -- Public Officials -- House State and Local Government Committee

House Bill No. 3269 -- Tobacco, Tobacco Products -- House State and Local Government Committee

***House Bill No. 3270** -- Telecommunications -- House Commerce Committee

***House Bill No. 3271** -- State Inmates -- House State and Local Government Committee

***House Bill No. 3272** -- Sentencing -- House Judiciary Committee

***House Bill No. 3273** -- County Officers -- House State and Local Government Committee

House Bill No. 3274 -- Pensions and Retirement Benefits -- House Finance, Ways and Means Committee

House Bill No. 3275 -- Pensions and Retirement Benefits -- Caption Bill Held on House Desk

***House Bill No. 3276** -- Insurance, Health, Accident -- House Government Operations Committee

House Bill No. 3278 -- Equalization Board -- House State and Local Government Committee

***House Bill No. 3279** -- Consumer Protection -- House Consumer and Employee Affairs Committee

***House Bill No. 3280** -- Credit, Consumer -- House Consumer and Employee Affairs Committee

House Bill No. 3281 -- Criminal Offenses -- House State and Local Government Committee

***House Bill No. 3282** -- Appropriations -- House Finance, Ways and Means Committee

***House Bill No. 3283** -- Bond Issues -- House Finance, Ways and Means Committee

***House Bill No. 3284** -- Appropriations -- House Finance, Ways and Means Committee

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House Bill No. 3285 -- Taxes, Personal Property -- House State and Local Government Committee

House Bill No. 3286 -- Ethics -- House State and Local Government Committee

House Bill No. 3287 -- Pensions and Retirement Benefits -- House Finance, Ways and Means Committee

House Bill No. 3288 -- Pensions and Retirement Benefits -- House Finance, Ways and Means Committee

House Bill No. 3289 -- TennCare -- House Health and Human Resources Committee

House Bill No. 3290 -- Real Property -- House Commerce Committee

***House Bill No. 3291** -- Education -- House Education Committee

***House Bill No. 3292** -- Education -- House Education Committee

***House Bill No. 3293** -- Bond Issues -- House State and Local Government Committee

***House Bill No. 3294** -- Campaigns and Campaign Finance -- House State and Local Government Committee

House Bill No. 3295 -- Milk, Dairy Products -- House Agriculture Committee

House Bill No. 3296 -- Agriculture -- House Agriculture Committee

House Bill No. 3297 -- Agriculture -- House Agriculture Committee

House Bill No. 3298 -- Lobbying, Lobbyists -- House State and Local Government Committee

House Bill No. 3299 -- Eminent Domain -- House Judiciary Committee

House Bill No. 3300 -- Firearms and Ammunition -- House Judiciary Committee

House Bill No. 3301 -- Highways, Roads and Bridges -- House Transportation Committee

House Bill No. 3302 -- Eminent Domain -- House Judiciary Committee

House Bill No. 3303 -- Eminent Domain -- House Judiciary Committee

House Bill No. 3304 -- Attorney General and Reporter -- House Judiciary Committee

***House Bill No. 3305** -- Environment and Conservation, Department of -- House Conservation and Environment Committee

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- House Bill No. 3306** -- Local Government, General -- House Agriculture Committee
- House Bill No. 3307** -- Criminal Offenses -- House Judiciary Committee
- House Bill No. 3308** -- Eminent Domain -- House Judiciary Committee
- House Bill No. 3309** -- Agriculture -- House Government Operations Committee
- *House Bill No. 3310** -- Highways, Roads and Bridges -- House Transportation Committee
- House Bill No. 3311** -- Motor Vehicles -- House Transportation Committee
- House Bill No. 3312** -- Lottery, Scholarships and Programs -- House Education Committee
- *House Bill No. 3313** -- Advertising -- House Government Operations Committee
- House Bill No. 3314** -- Motor Vehicles -- House Commerce Committee
- House Bill No. 3315** -- Marriage -- House Children and Family Affairs Committee
- House Bill No. 3316** -- Codes -- House State and Local Government Committee
- House Bill No. 3317** -- Codes -- House State and Local Government Committee
- House Bill No. 3318** -- Employees, Employers -- House Government Operations Committee
- House Bill No. 3319** -- TennCare -- House Government Operations Committee
- *House Bill No. 3320** -- Alcoholic Beverages -- House State and Local Government Committee
- House Bill No. 3321** -- Mobile Homes and Manufactured Buildings -- House Commerce Committee
- House Bill No. 3322** -- Boards and Commissions -- Caption Bill Held on House Desk
- House Bill No. 3323** -- Insurance, Health, Accident -- House Commerce Committee
- House Bill No. 3324** -- Hospitals and Health Care Facilities -- Caption Bill Held on House Desk
- House Bill No. 3325** -- Tort Liability and Reform -- Caption Bill Held on House Desk
- House Bill No. 3326** -- Abuse -- Caption Bill Held on House Desk

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- House Bill No. 3327** -- Motor Vehicles -- House Transportation Committee
- House Bill No. 3328** -- Criminal Procedure -- House Judiciary Committee
- House Bill No. 3329** -- Water -- Caption Bill Held on House Desk
- House Bill No. 3330** -- Plumbers and Plumbing -- House Commerce Committee
- House Bill No. 3331** -- Parks, Natural Areas Preservation -- House Conservation and Environment Committee
- House Bill No. 3332** -- Game and Fish Laws -- Caption Bill Held on House Desk
- House Bill No. 3333** -- Contractors -- House Commerce Committee
- House Bill No. 3334** -- Special License Plates -- House Transportation Committee
- House Bill No. 3335** -- Workers' Compensation -- House Consumer and Employee Affairs Committee
- House Bill No. 3336** -- Local Government, General -- House State and Local Government Committee
- House Bill No. 3337** -- Real Property -- Caption Bill Held on House Desk
- House Bill No. 3338** -- Tourist Development, Dept. of -- Caption Bill Held on House Desk
- House Bill No. 3339** -- Assessors -- House State and Local Government Committee
- House Bill No. 3340** -- TennCare -- House Commerce Committee
- House Bill No. 3341** -- Education, Higher -- House Education Committee
- *House Bill No. 3342** -- Veterinarians -- House Agriculture Committee
- House Bill No. 3343** -- Courts, Administrative Office of the -- House Judiciary Committee
- House Bill No. 3344** -- Motor Vehicles, Titling and Registration -- House Transportation Committee
- House Bill No. 3345** -- Alcoholic Beverages -- House State and Local Government Committee
- House Bill No. 3346** -- Taxes, Real Property -- House State and Local Government Committee
- House Bill No. 3347** -- Recycling -- House Government Operations Committee

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- House Bill No. 3348** -- Short Term Loans and Lenders -- House Judiciary Committee
- House Bill No. 3349** -- Child Custody and Support -- House Judiciary Committee
- House Bill No. 3350** -- Recycling -- House Government Operations Committee
- House Bill No. 3351** -- Workers' Compensation -- House Consumer and Employee Affairs Committee
- House Bill No. 3352** -- Consumer Protection -- House Consumer and Employee Affairs Committee
- House Bill No. 3353** -- Utilities, Utility Districts -- House Commerce Committee
- *House Bill No. 3354** -- Insurance, Health, Accident -- House Government Operations Committee
- House Bill No. 3355** -- Motor Vehicle Commission -- House Consumer and Employee Affairs Committee
- House Bill No. 3356** -- Economic and Community Development -- House Government Operations Committee
- House Bill No. 3357** -- Health Care -- House Judiciary Committee
- House Bill No. 3358** -- Criminal Offenses -- House Judiciary Committee
- House Bill No. 3359** -- Animals and Animal Cruelty -- House Judiciary Committee
- House Bill No. 3360** -- Hospitals and Health Care Facilities -- House Judiciary Committee
- House Bill No. 3361** -- Local Government, General -- House State and Local Government Committee
- House Bill No. 3362** -- Business and Commerce -- House Finance, Ways and Means Committee
- House Bill No. 3363** -- Local Education Agency -- House Education Committee
- House Bill No. 3364** -- Local Government, General -- House State and Local Government Committee
- House Bill No. 3365** -- Local Government, General -- House State and Local Government Committee
- House Bill No. 3366** -- Local Government, General -- House State and Local Government Committee
- House Bill No. 3367** -- Civil Procedure -- House Judiciary Committee

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House Bill No. 3368 -- Civil Procedure -- House Judiciary Committee

House Bill No. 3369 -- Civil Procedure -- House Judiciary Committee

House Bill No. 3370 -- Civil Procedure -- House Judiciary Committee

House Bill No. 3371 -- Juvenile Offenders -- House Judiciary Committee

House Bill No. 3372 -- Boards and Commissions -- House Health and Human Resources Committee

House Bill No. 3373 -- Education, Higher -- House Education Committee

House Bill No. 3374 -- Education -- House Education Committee

House Bill No. 3375 -- Education -- House Education Committee

House Bill No. 3376 -- Pensions and Retirement Benefits -- House Education Committee

House Bill No. 3377 -- Trusts -- House Government Operations Committee

House Bill No. 3378 -- Taxes, Exemption and Credits -- House State and Local Government Committee

House Bill No. 3379 -- State Employees -- House Government Operations Committee

House Bill No. 3380 -- Traffic Safety -- House Transportation Committee

House Bill No. 3381 -- School Transportation -- House Education Committee

House Bill No. 3382 -- Pharmacy, Pharmacists -- House Health and Human Resources Committee

House Bill No. 3383 -- Health Care -- House Health and Human Resources Committee

House Bill No. 3384 -- Dentists -- House Health and Human Resources Committee

House Bill No. 3385 -- Pharmacy, Pharmacists -- House Health and Human Resources Committee

House Bill No. 3386 -- Insurance, Health, Accident -- House Government Operations Committee

House Bill No. 3387 -- Education -- House Education Committee

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House Bill No. 3388 -- Fire Prevention and Investigation -- House Health and Human Resources Committee

House Bill No. 3389 -- Fire Prevention and Investigation -- House Health and Human Resources Committee

House Bill No. 3390 -- Credit, Consumer -- House Consumer and Employee Affairs Committee

House Bill No. 3391 -- Insurance, Health, Accident -- House Government Operations Committee

House Bill No. 3392 -- TennCare -- Caption Bill Held on House Desk

House Bill No. 3393 -- Probate Law -- House Judiciary Committee

House Bill No. 3394 -- Treasurer, State -- Caption Bill Held on House Desk

House Bill No. 3395 -- Taxes, Exemption and Credits -- House State and Local Government Committee

House Bill No. 3396 -- Pensions and Retirement Benefits -- House Commerce Committee

House Bill No. 3397 -- Taxes, Real Property -- House State and Local Government Committee

House Bill No. 3398 -- Zoning -- House State and Local Government Committee

House Bill No. 3399 -- Women -- House Government Operations Committee

House Bill No. 3400 -- Special License Plates -- House Transportation Committee

House Bill No. 3401 -- Public Records -- House Judiciary Committee

House Bill No. 3402 -- Employees, Employers -- House Government Operations Committee

House Bill No. 3403 -- Lottery, Scholarships and Programs -- House Education Committee

House Bill No. 3404 -- Lottery, Charitable -- House State and Local Government Committee

House Bill No. 3405 -- Lottery, Corporation -- Caption Bill Held on House Desk

House Bill No. 3406 -- Employees, Employers -- House Consumer and Employee Affairs Committee

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House Bill No. 3407 -- Victims' Rights -- House Judiciary Committee

House Bill No. 3408 -- Motor Vehicles, Titling and Registration -- House Transportation Committee

House Bill No. 3409 -- Claims Commission, Tennessee -- House Judiciary Committee

House Bill No. 3410 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 3411 -- Taxes, Sales -- House Finance, Ways and Means Committee

House Bill No. 3412 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 3413 -- Business Organizations -- House Judiciary Committee

House Bill No. 3414 -- Election Laws -- House State and Local Government Committee

House Bill No. 3415 -- Election Laws -- House State and Local Government Committee

House Bill No. 3416 -- Election Laws -- House Government Operations Committee

House Bill No. 3417 -- Education, Higher -- House Education Committee

House Bill No. 3418 -- Criminal Procedure -- House Judiciary Committee

House Bill No. 3419 -- Safety -- Caption Bill Held on House Desk

House Bill No. 3420 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 3421 -- Taxes, Privilege -- House Government Operations Committee

House Bill No. 3422 -- Campaigns and Campaign Finance -- House State and Local Government Committee

House Bill No. 3423 -- Ethics -- House State and Local Government Committee

House Bill No. 3424 -- Lobbying, Lobbyists -- House State and Local Government Committee

House Bill No. 3425 -- Lottery, Scholarships and Programs -- House Education Committee

House Bill No. 3426 -- Employees, Employers -- House Consumer and Employee Affairs Committee

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House Bill No. 3427 -- Governor -- House Judiciary Committee

House Bill No. 3428 -- Campaigns and Campaign Finance -- House State and Local Government Committee

CONSENT CALENDAR

House Resolution No. 181 -- Memorials, Recognition - American Kennel Club's Canine Good Citizen program. by *Jones S.

House Resolution No. 202 -- Memorials, Recognition - Woodland Elementary School, 50th anniversary. by *Bone.

House Resolution No. 203 -- Memorials, Personal Occasion - Bruce Lee Batson, 80th birthday. by *Davidson.

House Resolution No. 204 -- Memorials, Personal Achievement - Elizabeth Flannigan, 2006 Tennessee Fairest of the Fairs. by *Stanley.

House Resolution No. 205 -- Memorials, Personal Achievement - Erin Leigh Parker, 2006 Youth Excellence Award. by *Stanley.

House Resolution No. 206 -- Memorials, Sports - Lane McCarter, Tennessee Baseball Coaches Association Coach of the Year. by *Stanley.

House Resolution No. 207 -- Memorials, Professional Achievement - Dick Peebles, TWHNC Hall of Fame. by *Cobb.

House Resolution No. 208 -- Memorials, Professional Achievement - Jack Greene, Tennessee Walking Horse National Celebration Hall of Fame. by *Cobb.

House Resolution No. 209 -- Memorials, Professional Achievement - Jimmy Cole, Tennessee Walking Horse National Celebration Hall of Fame. by *Cobb.

***House Joint Resolution No. 730** -- Memorials, Heroism - Honors past and present military working dogs and their handlers; expresses support for establishment of national memorial honoring military working dogs and their handlers. by *Moore.

House Joint Resolution No. 847 -- Memorials, Personal Achievement - Matt Deathridge, Eagle Scout. by *West.

House Joint Resolution No. 848 -- Memorials, Professional Achievement - Vance Berry, Volunteer of a Lifetime award. by *McMillan.

House Joint Resolution No. 850 -- Memorials, Retirement - Edwina Catron,. by *Litz.

House Joint Resolution No. 851 -- Death - Wayne "Cotton" Morgan. by *Windle.

House Joint Resolution No. 856 -- Memorials, Public Service - Scott Meltzer, Prudential Spirit of Community Award. by *Fowlkes, *Casada.

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House Joint Resolution No. 859 -- Memorials, Public Service - Evangelist Nettie B. Rogers. by *Brooks (Shelby), *Rowe, *DeBerry L, *DeBerry J, *Miller L, *Turner L.

Rep. Litz moved that all members voting aye on House Joint Resolution No. 850 be added as co-prime sponsors, which motion prevailed.

Rep. Davidson moved that all members voting aye on House Resolution No. 203 be added as co-prime sponsors, which motion prevailed.

Rep. Moore moved that all members voting aye on House Joint Resolution No. 730 be added as co-prime sponsors, which motion prevailed.

Rep. McMillan moved that all members voting aye on House Joint Resolution No. 848 be added as co-prime sponsors, which motion prevailed.

Rep. Brooks (Shelby) moved that all members voting aye on House Joint Resolution No. 859 be added as co-prime sponsors, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Miller moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Armstrong, Baird, Bone, Borchert, Brooks (Knox), Brooks (Shelby), Brown, Buck, Bunch, Campfield, Casada, Clem, Cobb, Cochran, Coleman, Cooper B, Crider, Curtiss, Davidson, Davis, DeBerry J, DeBerry L, Dunn, Eldridge, Favors, Ferguson, Fitzhugh, Fowlkes, Fraley, Godsey, Gresham, Hackworth, Hargrove, Harmon, Harrison, Harwell, Hawk, Hensley, Hill, Hood, Johnson C, Johnson P, Johnson R, Jones S, Jones U, Kelsey, Kernell, Langster, Litz, Lynn, Maddox, Maggart, Marrero, McCord, McCormick, McDaniel, McDonald, McKee, McMillan, Miller L, Montgomery, Moore, Mumpower, Niceley, Odom, Overbey, Pinion, Pleasant, Pruitt, Rinks, Rowe, Rowland, Sargent, Shaw, Shepard, Sontany, Stanley, Strader, Swafford, Tidwell, Tindell, Todd, Towns, Turner L, Turner M, Vaughn, Watson B, Watson E, West, Windle, Winningham, Yokley, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Brooks (Shelby) moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 858 out of order, which motion prevailed.

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House Joint Resolution No. 858 -- Naming and Designating - Designates June 4, 2006 as "National Church School Day" in Tennessee. by *Brooks (Shelby), *Rowe, *DeBerry L, *DeBerry J, *Miller L, *Turner L.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Brooks (Shelby), the resolution was adopted.

A motion to reconsider was tabled.

BILL FILING DEADLINE

The Clerk reminded the members that the bill filing deadline for the House would be at the close of business today, Thursday, February 23, 2006.

BILLS WITHDRAWN

On motion of Rep. Crider, **House Bill No. 2615** was recalled from the Transportation Committee and withdrawn from the House.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1408: Rep(s). Todd, P. Johnson, Rowland, Maggart, Stanley, Bunch, Lynn, Overbey. Pleasant, Gresham, Eldridge, Hawk, R. Johnson, Sargent, Harwell, McDaniel, Harrison, E. Watson, Montgomery, Strader, McCormick, Dunn, Crider, Hill, Mumpower, Cochran, Campfield, Clem, Niceley, Casada, C. Johnson, B. Watson and Davis as prime sponsor(s).

House Bill No. 2519: Rep(s). Ferguson as prime sponsor(s).

House Bill No. 2521: Rep(s). Borchert, Bone, Coleman, Davidson, Harmon, Curtiss and Ferguson as prime sponsor(s).

House Bill No. 2536: Rep(s). Brooks (Shelby) as prime sponsor(s).

House Bill No. 2563: Rep(s). Ferguson as prime sponsor(s).

House Bill No. 2599: Rep(s). Harwell as prime sponsor(s).

House Bill No. 2620: Rep(s). P. Johnson as prime sponsor(s).

House Bill No. 2744: Rep(s). Sargent as prime sponsor(s).

House Bill No. 2818: Rep(s). Maddox as prime sponsor(s).

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House Bill No. 2827: Rep(s). Harwell as prime sponsor(s).

House Bill No. 2904: Rep(s). Eldridge as prime sponsor(s).

House Bill No. 3159: Rep(s). Maddox as first prime sponsor(s).

House Bill No. 3402: Rep(s). Langster as prime sponsor(s).

House Bill No. 3495: Rep(s). Cobb as prime sponsor(s).

MESSAGE FROM THE SENATE

February 23, 2006

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 305; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

February 23, 2006

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 820, 821 and 822; all concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

February 23, 2006

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 853 and 852; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

ENROLLED BILLS

February 23, 2006

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 305, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 820, 821, 822, 852 and 853.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

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SIGNED
February 23, 2006

The Speaker signed the following: House Joint Resolution(s) No(s). 305, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 820, 821, 822, 852 and 853.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
February 23, 2006

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 305, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 820, 821, 822, 852 and 853; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK
February 23, 2006

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 305, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 820, 821, 822, 852 and 853.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENROLLED BILLS
February 23, 2006

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 800 and 802.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
February 23, 2006

The Speaker signed the following: House Joint Resolution(s) No(s). 800 and 802.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
February 23, 2006

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 800 and 802; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

THURSDAY, FEBRUARY 23, 2006 – FIFTY-SEVENTH LEGISLATIVE DAY

**REPORT OF CHIEF ENGROSSING CLERK
February 23, 2006**

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 800 and 802.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
February 23, 2006**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 539, 540, 541 and 544; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

**SIGNED
February 23, 2006**

The Speaker signed the following: Senate Joint Resolution(s) No(s). 539, 540, 541 and 544.

**ENGROSSED BILLS
February 23, 2006**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 730, 847, 848, 850, 851, 856, 858 and 859.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENROLLED BILLS
February 23, 2006**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 202, 203, 204, 205, 206, 207, 208 and 209; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED
February 23, 2006**

The Speaker signed the following: House Resolution(s) No(s). 202, 203, 204, 205, 206, 207, 208 and 209.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

INTRODUCTION OF BILLS

On motion previously made, the following bills were introduced:

House Bill No. 3612 -- Judges and Chancellors - Increases base salaries for trial and appellate level judges. Amends TCA Section 8-23-103(1). by *Fitzhugh, *Overbey. (*SB3699 by *Henry, *McNally)

House Bill No. 3613 -- Economic and Community Development - Expands Tennessee River Resort District Act to include counties, and cities within such counties, ranking in the second quartile of economic distress in addition to those counties ranking in the first quartile of economic distress. Amends TCA Section 67-6-103(a)(3)(F). by *Borchert. (*SB2991 by *Herron)

***House Bill No. 3614** -- Municipal Government - Declares certain municipal practices, regarding traffic citations, to constitute abuse of police power; provides for investigation and sanction of such practices. Amends TCA Title 6, Chapter 54. by *Niceley. (SB3751 by *Burchett)

***House Bill No. 3615** -- Education, State Board of - Directs board to establish an alternative program for the operation of public school systems. Amends TCA Title 49, Chapter 1, Part 3. by *Niceley. (SB3752 by *Burchett)

House Bill No. 3616 -- Agriculture - Enacts the "Tennessee Biodiesel Production Act of 2006." Amends TCA Title 68, Chapter 135. by *Niceley. (*SB3623 by *Finney)

***House Bill No. 3617** -- Livestock - Establishes that horses regularly located in the eastern grand division of the state shall be exempt from Equine Infectious Anemia test requirements. Amends TCA Title 44. by *Niceley. (SB3753 by *Burchett)

House Bill No. 3618 -- Health Care - Requires criminal background checks for nursing home employees to be conducted prior to employment; requires compliance by potential employee with at least two background checking methods listed in statute. Amends TCA Title 68. by *Shepard. (*SB3409 by *Jackson)

House Bill No. 3619 -- Privacy, Confidentiality - Requires public and private entities to disclose any breach of the security of personal consumer information. Amends TCA Title 39; Title 47 and Title 48. by *Shepard. (*SB3425 by *Jackson)

House Bill No. 3620 -- Administrative Procedure (UAPA) - Increases, from five to 10, the number of persons required to petition agency for adoption or repeal of regulation. Amends TCA Title 4; Title 36 and Title 37. by *Shepard. (*SB3404 by *Jackson)

House Bill No. 3621 -- Health Care - Prohibits any state agency from imposing any exclusion, restriction or penalty on a physician for referral of patients to receive any health care service in any program regulated by the state with some exceptions. Amends TCA Title 63. by *Shepard. (*SB3611 by *Jackson)

***House Bill No. 3622** -- Highway Signs - Expresses intent to name appropriate bridge on State Route 840 in honor of late Sergeant Gary Lee Reese, Jr., Tennessee National Guard. by *Johnson P. (SB3830 by *Kurita)

THURSDAY, FEBRUARY 23, 2006 – FIFTY-SEVENTH LEGISLATIVE DAY

***House Bill No. 3623** -- Criminal Offenses - Increases from Class B misdemeanor to Class A misdemeanor the penalty for certain fraudulent activities concerning misuse of credit or debit cards. Amends TCA Title 39, Chapter 14. by *Pleasant. (SB3760 by *Norris)

***House Bill No. 3624** -- Education, Curriculum - Requires the subject of personal finance to be taught in all public high schools. Amends TCA Title 49, Chapter 6, Part 12. by *Curtiss. (SB3822 by *Cooper)

House Bill No. 3625 -- Taxes, Litigation - Adds Warren County to counties authorized to levy \$25.00 per case litigation tax. Amends TCA Section 67-4-601. by *Curtiss. (*SB3672 by *Cooper)

***House Bill No. 3626** -- Gas, Petroleum Products, Volatile Oils - Requires all state entities with state-owned motor vehicle fleets of more than 10 motor vehicles to develop and implement plans to improve state's use of alternative fuels and efficient vehicles and report to comptroller by September 1, 2006, and annually thereafter; and requires comptroller to compile plans and report to the general assembly by November 1, 2006, and annually thereafter. Amends TCA Title 12, Chapter 3. by *Strader. (SB3748 by *Burchett)

***House Bill No. 3627** -- Alcoholic Offenses - Creates Class B misdemeanor for persons selling alcoholic beverages or beer without requiring the purchaser to show identification and proof of age. Amends TCA Title 57, Chapter 3, Part 4; Title 57, Chapter 4, Part 2 and Title 57, Chapter 5, Part 3. by *Strader. (SB3747 by *Burchett)

***House Bill No. 3628** -- Sexual Offenders - Requires persons convicted of violent sexual offenses to undergo MPA drug therapy (chemical castration) as part of their community supervision for life unless medically or psychologically prevented from receiving such treatment. Amends TCA Title 39, Chapter 13, Part 5. by *Strader. (SB3746 by *Burchett)

***House Bill No. 3629** -- Sexual Offenders - Requires resident sexual offenders and violent sexual offenders to obtain and carry driver license or photo identification card and requires department of safety to design such license or card in such a manner that allows law enforcement officers to ascertain if the person is a sexual offender. Amends TCA Title 40, Chapter 39, Part 2 and Title 55, Chapter 50. by *Strader. (SB3744 by *Burchett)

House Bill No. 3630 -- Parks, Natural Areas Preservation - Prohibits relocation, removal, disturbance, alteration, renaming or rededication of any structure or area associated with any war. Amends TCA Title 4, Chapter 11 and Title 11. by *McDaniel. (*SB2912 by *Ketron)

House Bill No. 3631 -- Highway Signs - "Ethridge Lineberry Memorial Bridge," State Route 128 in Wayne County. by *McDaniel. (*SB2830 by *Wilder)

House Bill No. 3632 -- Highway Signs - "C.W. Lineberry Memorial Highway," segment of State Route 128 in Wayne County. by *McDaniel. (*SB2831 by *Wilder)

House Bill No. 3633 -- Highway Signs - "Gordon Turner Memorial Highway," segment of State Route 201 in Henderson County. by *McDaniel. (*SB3364 by *Herron)

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House Bill No. 3634 -- Economic and Community Development - Authorizes certain incentives to stimulate job creation. Amends TCA Title 67, Chapter 4, Part 21. by *McDaniel. (*SB3463 by *Fowler)

House Bill No. 3635 -- Tennessee Regulatory Authority - Enacts the "Broadband Business Certainty Act of 2006." Amends TCA Title 65, Chapter 5. by *McDaniel, *Curtiss, *Hargett. (*SB3207 by *Tracy, *Norris)

House Bill No. 3636 -- Radio and Television - Enacts the "Competitive Cable Services Act". Amends TCA Title 7, Chapter 59. by *McDaniel. (*SB3210 by *Tracy, *Norris)

House Bill No. 3637 -- Handgun Permits - Authorizes persons who voluntarily seek mental health treatment as in-patients to qualify for handgun carry permits if all other criteria are satisfied. Amends TCA Section 39-17-1351. by *Swafford. (*SB3157 by *Beavers, *McNally)

***House Bill No. 3638** -- Highway Signs - Expresses intent to name appropriate bridge on State Route 840 in honor of late Sergeant Paul W. Thomason III, Tennessee National Guard. by *Litz. (SB3799 by *Southerland)

***House Bill No. 3639** -- Agriculture - Deletes requirement that concentrated animal feeding operations obtain NPDES permit from department of environment and conservation. Amends TCA Title 69, Chapter 3. by *Litz. (SB3820 by *Cooper)

***House Bill No. 3640** -- Veterans - Clarifies that P.O.W.-M.I.A. flag may be flown over capitol at times other than Tennessee P.O.W.-M.I.A. Recognition Week. Amends TCA Title 58, Chapter 4, Part 3. by *Litz. (SB3801 by *Southerland)

House Bill No. 3641 -- Disabled Persons - Enacts the "Assistive Technology Assistance Act of 2006." Amends TCA Title 4, Chapter 29 and Title 71. by *Ferguson. (*SB3460 by *Kilby)

***House Bill No. 3642** -- Highway Signs - "Wrenza Jordan Memorial Highway," segment of State Route 255 (Donelson Pike) in Davidson County. by *West. (SB3743 by *Black)

***House Bill No. 3643** -- Criminal Offenses - Prohibits sellers of radar detectors from offering to pay or paying the speeding citations of purchasers of radar detectors; violation is punishable by up to a \$500 fine. Amends TCA Title 39, Chapter 17. by *Todd. (SB3756 by *Norris)

***House Bill No. 3644** -- State Employees - Restricts scope of and more clearly defines those positions in state service which constitute executive service for purposes of civil service system. Amends TCA Title 8. by *Todd. (SB3762 by *Norris)

House Bill No. 3645 -- Financial Responsibility Law - Prohibits owners or operators of motor vehicles who fail to have liability insurance in compliance with the financial responsibility law from recovery for noneconomic loss in the event of an accident. Amends TCA Title 55, Chapter 12, Part 1. by *Todd, *Eldridge. (*SB3551 by *Ketron)

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House Bill No. 3646 -- Taxes, Real Property - Requires the assessor of property to furnish to the owner of each mobile home, located within a mobile home park, the assessed value of such owner's mobile home. Amends TCA Title 67, Chapter 5, Part 8. by *Mumpower. (*SB3706 by *Ramsey)

***House Bill No. 3647** -- Highway Signs - "Dr. James A. Street Memorial Bridge," State Route 126 and Steele Creek Drive in Sullivan County. by *Mumpower.

House Bill No. 3648 -- Environment and Conservation, Department of - Removes optional Davidson County chancery court jurisdiction for violations of the Solid Waste Disposal Act, the Hazardous Waste Management Act and the Water Quality Control Act, thereby redefining such chancery jurisdiction in the county in which the alleged violation occurs or is to occur. Amends TCA Title 4; Title 68; Title 69 and Title 70. by *Hawk, *Niceley, *Swafford, *Borchert, *Tidwell, *Fraley, *Baird, *Eldridge, *McCord, *Johnson P, *Kernell. (*SB2643 by *Southerland)

House Bill No. 3649 -- Water Pollution - Requires samples drawn to test the water quality of water entering the state to be drawn within 10 feet of the border from the center of the water body. Amends TCA Title 69, Chapter 3. by *Hawk. (*SB3048 by *Southerland)

House Bill No. 3650 -- TennCare - Requires the bureau of TennCare to provide emergency medical services to all residents of this state to the same extent, and pursuant to the same terms and conditions, as those emergency medical services are available to illegal aliens. Amends TCA Title 71, Chapter 5, Part 1. by *Hawk. (*SB3627 by *Southerland)

House Bill No. 3651 -- Taxes, Real Property - Provides property tax relief to veterans determined by U.S. veterans' administration to be 100 percent permanently and totally unemployable from service-connected cause. Amends TCA Section 67-5-704. by *Hawk. (*SB3634 by *Southerland)

House Bill No. 3652 -- Taxes, Inheritance Gift - Repeals the transfer tax. - Repeals TCA Title 67, Chapter 8. by *Hawk. (*SB3635 by *Southerland)

House Bill No. 3653 -- Real Property - Establishes the "New Home Warranty Act" providing for one-year warranty on new home construction. Amends TCA Title 66. by *Hawk. (*SB3618 by *Southerland)

***House Bill No. 3654** -- Highway Signs - Expresses intent to name appropriate bridge on State Route 840 in honor of late Staff Sergeant Mark O. Edwards, Tennessee National Guard. by *Hawk. (SB3798 by *Southerland)

***House Bill No. 3655** -- Taxes, Sales - Enacts the "Norris Lake Resort District Act." Amends TCA Title 4, Chapter 3, Part 7; Title 57 and Title 67, Chapter 6. by *Baird.

***House Bill No. 3656** -- Highway Signs - Expresses intent to name appropriate bridge on State Route 840 in honor of late Sergeant Alfred Barton Siler, Tennessee National Guard. by *Baird. (SB3814 by *Kilby)

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***House Bill No. 3657** -- Alcoholic Beverages - Expands the definition of premier type tourist resort for the purposes of selling alcoholic beverages for consumption on the premises of a marina located within a lake-resort gated community on Norris Lake in Campbell County. Amends TCA Section 57-4-102. by *Baird. (SB3792 by *McNally)

***House Bill No. 3658** -- Boards and Commissions - Requires that all meetings of the judicial selection commission and judicial evaluation commission be open to the public. Amends TCA Title 17, Chapter 4 and Title 17, Chapter 5. by *Cochran.

***House Bill No. 3659** -- Highway Signs - Expresses intent to name appropriate bridge on State Route 840 in honor of late Specialist James Dustin Carroll, Tennessee National Guard. by *Maddox.

House Bill No. 3660 -- Education, State Board of - Requires the state board of education develop a curriculum for an academic and nonsectarian study of the Bible. Amends TCA Title 49. by *Maddox. (*SB2992 by *Herron)

***House Bill No. 3661** -- Taxes, Exemption and Credits - Deletes certain antiquated statutory language pertaining to sales tax exemptions for certain affiliated corporations; exempts from the sales and use tax the fabrication of internally developed computer software by affiliated companies for the sole use and consumption of such affiliated companies. Amends TCA Title 67, Chapter 6. by *Miller L. (SB3843 by *Person, Curtis)

House Bill No. 3662 -- Medical Occupations - Deletes authorization for public disclosure of a health care provider's home address when the address is listed as the work address as part of a provider profile under the Health Care Consumer Right-to-Know Act of 1998. Amends TCA Title 63. by *Hill. (*SB3041 by *Crowe)

House Bill No. 3663 -- Hearing and Hearing Aids - Clarifies that continuing education requirements for hearing instrument specialists shall include only changes to relevant laws rather than all laws relevant to hearing instrument specialists. Amends TCA Title 63, Chapter 17, Part 2. by *Hill. (*SB3527 by *Crowe)

***House Bill No. 3664** -- Marriage - Exempts persons marrying in Jonesborough from payment of additional marriage fee. Amends TCA Section 36-6-413. by *Hill. (SB3771 by *Crowe)

House Bill No. 3665 -- Campaigns and Campaign Finance - Lowers PAC contribution limits to \$2,500 per election to statewide candidates and \$1,000 per election to all other state and local candidates. Amends TCA Title 2, Chapter 10, Part 3. by *Lynn. (*SB3737 by *Beavers)

***House Bill No. 3666** -- Education, Curriculum - Creates a study committee for driver education curriculum for public secondary schools. Amends TCA Title 49, Chapter 1, Part 2. by *McCormick. (SB3773 by *Fowler)

House Bill No. 3667 -- Taxes, Exemption and Credits - Authorizes tax incentives for certain business enterprises located within certain counties having proximity to two or more counties defined as economically distressed. Amends TCA Title 67, Chapter 4, Part 21. by *McCormick. (*SB3138 by *Fowler)

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House Bill No. 3668 -- Law Enforcement - Enacts the "Missing and Unidentified Persons Act of 2006." Amends TCA Title 10, Chapter 7, Part 5; Title 38 and Title 40. by *West. (*SB3740 by *Black)

House Bill No. 3669 -- Contractors - Requires contractors to produce evidence of general liability insurance coverage of at least \$100,000 in order to obtain or renew a license. Amends TCA Title 62, Chapter 6. by *Davidson. (*SB3416 by *Jackson)

House Bill No. 3670 -- Workers' Compensation - Gives the party against whom a specialist has issued an order the right to submit a "request for reconsideration"; makes conforming changes to present law concerning penalties for failure to comply with an order issued by a specialist. Amends TCA Title 13, Chapter 7; Title 38, Chapter 6; Title 50, Chapter 3; Title 50, Chapter 6; Title 50, Chapter 9 and Title 56. by *Curtiss. (*SB3631 by *Bryson)

House Bill No. 3671 -- Workers' Compensation - Revises provisions which entitle the payor of benefits to a refund from the second injury fund if a specialist has ordered the payment of benefits and a court subsequently finds that the employee was not entitled to the ordered benefit. Amends TCA Title 13, Chapter 7; Title 38, Chapter 6; Title 50, Chapter 3; Title 50, Chapter 6; Title 50, Chapter 9 and Title 56. by *Curtiss. (*SB3632 by *Bryson)

***House Bill No. 3672** -- Tourism - Revises requirements for tourist oriented directional sign (TODS) program and interstate directional sign program for historic sites. Amends TCA Title 4, Chapter 11; Title 4, Chapter 3, Part 22 and Title 54, Chapter 5. by *Davidson, *McDaniel, *Curtiss, *West. (SB3754 by *Williams)

House Bill No. 3673 -- Solid Waste Disposal - Requires TACIR to study methods to reduce solid waste, including specifically construction waste, and report to the general assembly by February 15, 2007. Amends TCA Title 68, Chapter 211. by *Turner M. (*SB3745 by *Burchett)

House Bill No. 3674 -- Pharmacy, Pharmacists - Enacts registration and educational requirements for pharmaceutical manufacturer representatives. Amends TCA Title 63. by *Odom. (*SB3400 by *Herron)

House Bill No. 3675 -- Health Care - Prohibits gifts from pharmaceutical manufacturers to doctors, pharmacists and others unless the gifts total less than \$25.00 per year or fall into another exception. Amends TCA Title 63. by *Odom. (*SB3397 by *Herron)

***House Bill No. 3676** -- Insurance Companies, Agents, Brokers, Policies - Establishes regulation of public adjusters by the department of commerce and insurance. Amends TCA Title 56, Chapter 6. by *Odom.

House Bill No. 3677 -- Biocides and Herbicides - Requires department of agriculture to maintain registry of pesticide-sensitive persons, beekeepers and certified organic farms. Amends TCA Title 43, Chapter 8, Part 3. by *Odom. (*SB3613 by *Jackson)

House Bill No. 3678 -- Criminal Offenses - Creates Class C misdemeanor offense of possessing or selling a radar jamming device or of knowingly operating a motor vehicle with such a device in the vehicle and the Class B misdemeanor of using a jamming device to interfere with the radar signals of law enforcement. Amends TCA Title 39, Chapter 16, Part 6. by *Odom. (*SB3702 by *Woodson)

THURSDAY, FEBRUARY 23, 2006 – FIFTY-SEVENTH LEGISLATIVE DAY

House Bill No. 3679 -- Child Custody and Support - Decreases amount of time to notify non-custodial parent of hospitalization, major illness or death of the child from 24 to eight hours. Amends TCA Title 36, Chapter 6. by *Bunch. (*SB3619 by *Black)

***House Bill No. 3680** -- Process, Service of - Clarifies that refusal to accept delivery of process sent by certified or registered mail, if the receipt evidencing refusal to accept delivery is filed in the action, constitutes valid service of process. Amends TCA Section 16-15-903. by *Bunch. (SB3750 by *Burchett)

House Bill No. 3681 -- Tort Liability and Reform - Removes the governmental tort liability limits for medical malpractice actions against public health care facilities and employees thereof. Amends TCA Title 29, Chapter 20. by *Clem. (*SB3411 by *Fowler)

House Bill No. 3682 -- Tort Liability and Reform - Removes the governmental tort liability limits for medical malpractice actions against the Metro General Hospital in Davidson County. Amends TCA Title 7, Chapter 57 and Title 29, Chapter 20. by *Clem. (*SB3405 by *Fowler)

House Bill No. 3683 -- Agriculture, Dept. of - Authorizes department to issue a certificate of free sale for drug products for which the manufacturer or distributor has provided documentation of FDA inspection and which such manufacturer or distributor appears to be authorized to sell. Amends TCA Title 53, Chapter 1. by *Clem. (*SB2771 by *Fowler)

***House Bill No. 3684** -- Highway Signs - Expresses intent to name appropriate bridge on State Route 840 in honor of late Sergeant Joseph D. Hunt, Tennessee National Guard. by *Johnson R, *McKee. (SB3791 by *McNally)

***House Bill No. 3685** -- Law Enforcement - Allows counties within the Ninth Judicial District to establish a multi-county task force to establish and maintain forensic laboratory which may assess and receive the same fees as are currently charged by publicly funded and TBI forensic labs for conducting tests to determine the drug and alcohol content of blood. Amends TCA Title 38, Chapter 6, Part 1; Title 39, Chapter 17, Part 4 and Title 55, Chapter 10, Part 4. by *Johnson R.

***House Bill No. 3686** -- Employees, Employers - Enacts the "Fair Share Health Care Fund Act." Amends TCA Title 71. by *Johnson R. (SB3755 by *Burchett)

House Bill No. 3687 -- Parks, Natural Areas Preservation - Requires department of environment and conservation to notify the governor, the chairs of the senate environment, conservation and tourism committee and the house conservation and environment committee concerning proposed scenic rivers annually by the first day of regular session. Amends TCA Title 11, Chapter 13. by *McDonald, *Turner M, *West, *Odom, *Johnson R. (*SB3733 by *Henry)

House Bill No. 3688 -- Hospitals and Health Care Facilities - Adds intent language concerning private act metropolitan hospital authorities to ensure that actions or conduct of such authorities are not intended to be nor are such authorities exempted from antitrust laws otherwise applicable to private hospitals. Amends TCA Section 7-57-501 and Section 7-57-502. by *Buck, *Cochran, *Sontany, *Maddox. (*SB3177 by *Person, Curtis)

THURSDAY, FEBRUARY 23, 2006 – FIFTY-SEVENTH LEGISLATIVE DAY

***House Bill No. 3689** -- Ethics - Provides that vendors and contractors must comply with the provisions of section 3-6-305 only while actively engaged in selling or marketing to the state. Amends TCA Section 3-6-301(15) as amended by Chapter __ of the Public Acts of 2006 (HB 7001 / SB 7001). by *McMillan. (SB3852 by *Williams)

***House Bill No. 3690** -- Attorneys at Law - Permits opposing party in civil action to make motion for sanctions against other party who files suit or pleading that is frivolous or done for unnecessary delay and, upon finding violation, requires court to impose monetary and nonmonetary sanctions. Amends TCA Title 23, Chapter 3. by *McMillan. (SB3833 by *Jackson)

***House Bill No. 3691** -- Highway Signs - Expresses intent to name appropriate bridge on State Route 840 in honor of late Sergeant First Class Stephen C. Kennedy, Tennessee National Guard. by *Hackworth, *Ferguson, *Windle, *Johnson R, *Winningham. (SB3793 by *McNally)

***House Bill No. 3692** -- Child Custody and Support - Creates child support study committee. by *Hackworth, *Ferguson, *Jones S. (SB3786 by *Woodson)

***House Bill No. 3693** -- Malpractice, Professional - Limits health care provider liability to actual economic losses plus \$250,000 in noneconomic losses; provides for periodic payment of future damages; limits security required to stay a judgment pending appeal; modifies contingent fee caps; and modifies requirements for expert testimony and for release of medical information. Amends TCA Title 29, Chapter 26, Part 1. by *Overbey, *Shepard, *Bone, *McKee, *Eldridge, *Sargent, *DeBerry J, *Pinion, *Harwell, *Casada, *Todd, *McDaniel, *McCord, *Harrison, *Jones U, *Fraleigh, *Mumpower, *Dunn, *Hawk, *Stanley, *Kelsey, *Brown. (SB3802 by *Norris, *McNally, *Ramsey, *Burchett, *Black, *Finney, *Bowers, *Burks, *Southerland, *Tracy, *Ketrone, *Williams, *McLeary, *Ford, O.)

***House Bill No. 3694** -- TennCare - Requires the commissioner of finance and administration to develop and enforce a uniform standard for the denial of or payment of claims for specialized equipment for the developmentally disabled. Amends TCA Title 33; Title 56 and Title 71, Chapter 5, Part 1. by *Watson B. (SB3797 by *Southerland)

House Bill No. 3695 -- Wildlife Resources Commission - Authorizes the wildlife resources commission to implement a sand hill crane management program in Rhea and Meigs counties. Amends TCA Title 70, Chapter 4. by *Watson B. (*SB3271 by *Kilby)

House Bill No. 3696 -- Public Utilities - Requires the department of transportation to reimburse certain utilities for remaining obligations arising from the relocation of water lines in conjunction with a highway construction project. Amends TCA Title 54, Chapter 5. by *Watson B. (*SB3658 by *Fowler)

House Bill No. 3697 -- Safety - Designates defibrillators as either private or public; eliminates training requirement for public access AEDs. Amends TCA Title 68, Chapter 140, Part 7. by *Watson B. (*SB2646 by *Fowler)

***House Bill No. 3698** -- Highways, Roads and Bridges - Requires two-thirds approval of each house prior to using or diverting state highway fund moneys for non-transportation purposes. Amends TCA Title 54, Chapter 2, Part 1 and Title 67, Chapter 3, Part 9. by *Litz. (SB3819 by *Cooper)

THURSDAY, FEBRUARY 23, 2006 – FIFTY-SEVENTH LEGISLATIVE DAY

House Bill No. 3699 -- County Government - Moves Knox County from the designation as a county of the second class to the designation as a county of the first class for purposes other than determining compensation for the various county officers. Amends TCA Section 8-24-101. by *Armstrong, *Tindell, *Brooks (Knox), *Strader, *Campfield, *Dunn. (*SB3691 by *Burchett)

House Bill No. 3700 -- Regional Authorities and Special Districts - Rewrites certain publication, notice and other requirements for public housing development and redevelopment plans. Amends TCA Title 13, Chapter 20. by *Armstrong. (*SB3620 by *Burchett)

House Bill No. 3701 -- Public Buildings - Requires construction or renovation of certain public buildings to be performed pursuant to design-build contracts. Amends TCA Title 12, Chapter 4. by *Armstrong. (*SB3015 by *Woodson)

House Bill No. 3702 -- Architects, Engineers and Designers - Limits liability of architects and engineers who provide inspection services without compensation at a national, state or local emergency scene. Amends TCA Section 62-2-109. by *Armstrong. (*SB2982 by *Woodson)

House Bill No. 3703 -- Sexual Offenders - Adds parks, playgrounds, recreation centers and athletic fields to places within 1,000 feet of which sexual offenders and violent sexual offenders are prohibited from residing or working. Amends TCA Title 40, Chapter 39, Part 2. by *Armstrong. (*SB2750 by *Burchett, *McNally, *Woodson)

House Bill No. 3704 -- Education, Higher - Clarifies that members of the state school bond authority are to be trustees of the chairs of excellence endowment trust fund. Amends TCA Title 49, Chapter 7, Part 5. by *Armstrong. (*SB2728 by *Henry)

House Bill No. 3705 -- Death - Requires certain questions about diabetes to be included on a death certificate. Amends TCA Title 68, Chapter 3, Part 5. by *Armstrong. (*SB3677 by *Bowers)

House Bill No. 3706 -- Medical Occupations - Requires physicians supervising nurse practitioners and physician assistants to have experience in the area of practice being supervised. Amends TCA Title 63, Chapter 6. by *Armstrong. (*SB3567 by *Person, Curtis)

House Bill No. 3707 -- Public Health - Includes outbreaks of disease within definition of emergency; specifically includes influenza among diseases for which the commissioner may take quarantine related actions; requires the commissioner to make recommendations during emergencies. Amends TCA Title 4; Title 58 and Title 68. by *Armstrong, *Turner M, *Shepard, *Marrero, *Odom, *Overbey, *Pruitt, *Favors, *Hensley, *Harrison, *Crider, *Rowe, *DuBois, *Watson B, *Maggart, *Eldridge. (*SB3549 by *Herron, *Crowe, *Kyle, *Finney, *Black, *Person, Curtis, *Ford, O., *Henry)

House Bill No. 3708 -- Drug and Alcohol Rehabilitation - Authorizes alcohol and drug abuse counselors to assist clients in applying for state or federal benefits. Amends TCA Title 68, Chapter 11 and Title 68, Chapter 24. by *Armstrong. (*SB2563 by *Burchett)

House Bill No. 3709 -- Taxes, Exemption and Credits - Increases the amount of job tax credit available to employers for certain jobs created within federally designated empowerment zones. Amends TCA Section 67-4-2109. by *Armstrong. (*SB3689 by *Burchett)

THURSDAY, FEBRUARY 23, 2006 – FIFTY-SEVENTH LEGISLATIVE DAY

House Bill No. 3710 -- Knox County - Subject to local approval, increases Knox County general sessions judges' salaries from 97.5 percent to 100 percent of state trial court judges' salary effective September 1, 2006. Amends Chapter 54 of the Private Acts of 1939; as amended. by *Armstrong. (SB3468 by *Burchett)

House Bill No. 3711 -- Motor Vehicles - Authorizes on motor vehicles taillights with white backup lights that pulse in panic stop conditions. Amends TCA Section 55-9-402. by *Armstrong. (*SB3243 by *Burchett)

***House Bill No. 3712** -- Highway Signs - Expresses intent to name appropriate bridge on State Route 840 in honor of late Sergeant Robert Wesley Tucker, Tennessee National Guard. by *Winningham. (SB3765 by *Beavers)

House Bill No. 3713 -- Local Education Agency - Requires a referendum to determine the will of the electorate before a local school board reappoints the director of schools. Amends TCA Title 49, Chapter 2. by *Winningham. (*SB3401 by *Crowe)

***House Bill No. 3714** -- Methamphetamine - Creates Class A felony for any person to unlawfully import or transport, or cause to be unlawfully imported or transported from any other state, territory, or country, into this state, methamphetamine. Amends TCA Title 39, Chapter 17, Part 4. by *Winningham. (SB3810 by *Kilby)

***House Bill No. 3715** -- Lottery, Scholarships and Programs - Adds definition of national accrediting agency for purposes of expanding the types of institutions where students may attend to qualify for the Wilder-Naifeh technical skills grant. Amends TCA Title 49, Chapter 4, Part 9. by *Winningham. (SB3834 by *Jackson)

House Bill No. 3716 -- Lottery, Scholarships and Programs - Expands the definition of eligible postsecondary institutions for purposes of obtaining HOPE scholarships, Hope access grants and Wilder-Naifeh technical skills grants. Amends TCA Title 49, Chapter 4, Part 9. by *Winningham. (*SB3694 by *Crowe)

House Bill No. 3717 -- Athletic Trainers - Establishes the board of athletic trainers and authorizes board to license and regulate athletic trainers. Amends TCA Title 63, Chapter 24, Part 1. by *Winningham. (*SB3360 by *Herron)

House Bill No. 3718 -- Boards and Commissions - Specifies that one of the consumer members of the board of medical examiners shall be an athletic trainer. Amends TCA Title 63, Chapter 6, Part 1. by *Winningham. (*SB2835 by *Herron)

House Bill No. 3719 -- Athletic Trainers - Prohibits certain activities by athletic trainers. Amends TCA Title 63, Chapter 24. by *Winningham. (*SB2834 by *Herron)

House Bill No. 3720 -- Lottery, Scholarships and Programs - Establishes lottery scholarship program to enable tenured public school teachers to obtain advanced degrees. Amends TCA Title 49, Chapter 4, Part 9. by *Winningham, *Maddox, *Turner L, *Swafford, *Hood, *Jones U, *Cooper B, *Towns, *Brown, *Brooks (Knox). (*SB2724 by *Tracy)

THURSDAY, FEBRUARY 23, 2006 – FIFTY-SEVENTH LEGISLATIVE DAY

House Bill No. 3721 -- Municipal Government - Authorizes the petition calling for a charter commission to amend or revise the charter of a home rule municipality to give the charter commission unlimited authority or to limit the scope of such charter commission to specific part or parts or subjects within parts of the charter to be amended, altered or reformed. Amends TCA Section 6-53-105. by *Kernell. (*SB3732 by *Bowers)

***House Bill No. 3722** -- Sunset Laws - Board of pharmacy, June 30, 2010. Amends TCA Title 4, Chapter 29; Title 62 and Title 63. by *Kernell, *Brooks (Shelby), *Cooper B.

***House Bill No. 3723** -- TennCare - Directs bureau of TennCare to develop and submit a waiver proposal to the federal Centers for Medicare and Medicaid Services that would use medical assistance funds with federal financial participation for matching premiums provided by small businesses for group policies offered by the state. Amends TCA Title 50; Title 56 and Title 71. by *Kernell. (SB3795 by *Ford, O.)

***House Bill No. 3724** -- Boards and Commissions - Requires persons regulated by boards and commissions to have CPR training by 2010. Amends TCA Title 49; Title 62 and Title 63. by *Kernell.

House Bill No. 3725 -- Administrative Procedure (UAPA) - Extends certain governmental entities subject to termination on June 30, 2006. Amends TCA Title 4, Chapter 29. by *Kernell, *Brooks (Shelby), *Cooper B. (*SB3647 by *Harper)

House Bill No. 3726 -- Administrative Procedure (UAPA) - Continues permanent rules filed with secretary of state after January 1, 2005. by *Kernell, *Brooks (Shelby), *Cooper B. (*SB3646 by *Harper)

House Bill No. 3727 -- Education - Allows parents of at-risk children eligible for voluntary pre-K to choose to send their children to private pre-K providers in lieu of attendance in an LEA program or an LEA and non-school system provider collaborative program; requires the department of education to maintain a registry of private providers from which such parents may choose. Amends TCA Title 49, Chapter 6, Part 1. by *Harwell. (*SB3020 by *Bryson)

House Bill No. 3728 -- Motor Vehicles - Makes motor vehicle accident reports maintained by department of safety and law enforcement agencies confidential except to a specified group of authorized persons. Amends TCA Title 55, Chapter 10, Part 1. by *Harwell. (*SB2818 by *Bryson, *Cooper)

House Bill No. 3729 -- General Assembly - Removes additional reimbursement for members of the general assembly for actual receipted costs of standard grade hotel room and intra-city transportation while attending conference, symposium, workshop or other official meeting outside Tennessee approved by the speaker of the house or senate. Amends TCA Section 3-1-106. by *Harwell. (*SB3018 by *Bryson)

House Bill No. 3730 -- Election Laws - Enacts the "Voter-Owned Elections Act." Amends TCA Title 2, Chapter 10. by *Kernell. (*SB3403 by *Jackson)

House Bill No. 3731 -- Insurance, Life - Broadens definition of charitable organization to include certain other organizations and entities for purposes of determining insurable interest. Amends TCA Section 56-7-314. by *Sargent. (*SB3767 by *Tracy)

THURSDAY, FEBRUARY 23, 2006 – FIFTY-SEVENTH LEGISLATIVE DAY

House Bill No. 3732 -- Tobacco, Tobacco Products - Enacts the "Tennessee Smokefree Air Act of 2006." Amends TCA Section 4-4-121; Title 39, Chapter 17; Title 50 and Title 68. by *Stanley. (*SB3731 by *Tracy)

House Bill No. 3733 -- Traffic Safety - Enacts the "Tennessee Administrative License Revocation Act of 2006." Amends TCA Title 55. by *Sontany, *Fowlkes, *Johnson R, *Hood. (*SB3769 by *McNally)

House Bill No. 3734 -- Traffic Safety - Enacts the "Tennessee Administrative License Revocation for Implied Consent Violations Act of 2006." Amends TCA Title 55, Chapter 10, Part 4 and Title 55, Chapter 50. by *Sontany, *Fowlkes, *Johnson R, *Hood. (*SB3770 by *McNally)

***House Bill No. 3735** -- Juvenile Offenders - Deletes the provision that permits public inspection of petitions and orders of the court in delinquency proceedings. Amends TCA Title 37, Chapter 1. by *Towns.

House Bill No. 3736 -- Education - Increases amount of purchase where local board of education is required to solicit competitive bids through newspaper advertisements from \$5,000 or more to \$10,000 or more. Amends TCA Section 49-2-203. by *Stanley. (*SB3768 by *Ford, O.)

House Bill No. 3737 -- Veterans - Revises provisions governing disposition of funds received by state veterans' homes; deletes provisions governing notification of kin and disposition of personal property of veteran who dies in state veterans' home; authorizes the state veterans' home board to solicit bequests and donations. Amends TCA Chapter 7, Title 58. by *Fitzhugh. (*SB3782 by *Henry)

House Bill No. 3738 -- Bond Issues - Revises bond bills to provide for the making of grants to counties, metropolitan governments, towns, cities, special districts, and any agencies thereof if the project grant is approved by the state building commission. by *Fitzhugh. (*SB3781 by *Henry)

House Bill No. 3739 -- Taxes - Revises various dates applicable to deposits and payments in regard to the telecommunications ad valorem tax reduction fund. Amends TCA Section 67-6-103; Section 67-6-221 and Section 67-6-222. by *Fitzhugh. (*SB3780 by *Henry)

***House Bill No. 3740** -- Public Contracts - Revises provisions governing contracts for professional services; revises information required for debt obligation issuance under the Local Government Public Obligations Act of 1986. Amends TCA Section 9-21-151; Section 9-9-113; Section 12-4-106 and Section 12-4-107. by *Fitzhugh. (SB3779 by *Henry)

***House Bill No. 3741** -- Public Contracts - Requires that purchases made by public housing authority officials using or encumbering housing authority funds be made in accordance with competitive bidding procedures; revises provisions governing municipality's bidding and purchasing under the Municipal Purchasing Law of 1983. Amends TCA Title 6 and Title 13. by *Fitzhugh. (SB3778 by *Henry)

***House Bill No. 3742** -- Local Government, General - Revises the provisions governing authorized investments by local governments. Amends TCA Titles 5, 6 and 7 relative to the investment of funds. by *Fitzhugh. (SB3777 by *Henry)

THURSDAY, FEBRUARY 23, 2006 – FIFTY-SEVENTH LEGISLATIVE DAY

***House Bill No. 3743** -- Taxes, Real Property - Clarifies that if the ownership of taxable property is conveyed or transferred to a tax-exempt organization, the new owner is not liable for the taxes on the property from the date of transfer and change of use to the end of the taxable year. Amends TCA Section 67-5-201. by *Fitzhugh. (SB3776 by *Henry)

***House Bill No. 3744** -- Taxes - Revises the power of the comptroller of the treasury to assess for taxation all of the properties of motor bus and truck companies. Amends TCA Title 67, Chapter 5, Part 13. by *Fitzhugh. (SB3775 by *Henry)

House Bill No. 3745 -- Credit, Consumer - Establishes a maximum effective interest rate for litigation loans at 20 percent per annum; prohibits kickbacks to lawyers for litigation loans. Amends TCA Title 23 and Title 47. by *Fitzhugh. (*SB3370 by *Herron)

House Bill No. 3746 -- Consumer Protection - Places certain limitations on creditors extending consumer credit to servicemembers or servicemember's dependents. Amends TCA Title 45. by *Fitzhugh. (*SB3386 by *Herron)

House Bill No. 3747 -- Sentencing - Requires the state to pay the daily costs of housing prisoners confined to local jail when such prisoners are arrested for probation violation and awaiting a probation revocation hearing. Amends TCA Title 40, Chapter 35. by *Fitzhugh, *Maddox, *Harrison, *Fowlkes, *Lynn, *Windle, *Ferguson. (*SB3698 by *Kyle)

***House Bill No. 3748** -- District Attorneys - Clarifies that assistant district attorney general positions and assistant district public defender positions enumerated for each judicial district are the minimum number authorized for that district and that additional positions may be funded by state or non-state sources. Amends TCA Title 8, Chapter 14; Title 8, Chapter 7 and Title 16, Chapter 2, Part 5. by *Fitzhugh. (SB3857 by *Kyle)

***House Bill No. 3749** -- Economic and Community Development, Dept. of - Requires commissioner to post criteria and requirements of FastTrack infrastructure development and training grants on Web site of department. Amends TCA Title 4, Chapter 14; Title 4, Chapter 3, Part 7 and Title 13. by *Fitzhugh.

***House Bill No. 3750** -- Education - Requires LEAs to incorporate at least 30 minutes of physical activity three times a week into the instructional school day for elementary and secondary school students. Amends TCA Title 49, Chapter 6. by *Fitzhugh.

***House Bill No. 3751** -- Highway Signs - Expresses intent to name appropriate bridge on State Route 840 in honor of late Staff Sergeant Victoir Patric Lieurance, Tennessee National Guard. by *Montgomery. (SB3806 by *Finney)

***House Bill No. 3752** -- DUI/DWI Offenses - Requires all persons convicted of DUI first offense to spend at least 48 hours in jail, not just persons under the age of 21. Amends TCA Title 55, Chapter 10, Part 4. by *Buck. (SB3803 by *Norris)

House Bill No. 3753 -- Education, Curriculum - Requires department of education to create and state board to approve a high school financial literacy curriculum. Amends TCA Title 49, Chapter 6, Part 12. by *Overbey. (*SB3741 by *Black)

THURSDAY, FEBRUARY 23, 2006 – FIFTY-SEVENTH LEGISLATIVE DAY

***House Bill No. 3754** -- Basic Education Program (BEP) - Provides that BEP funding for textbooks and other instructional materials shall only be spent for those purposes. Amends TCA Title 49, Chapter 3, Part 3. by *McCormick, *Brooks (Knox). (SB3787 by *Woodson)

House Bill No. 3755 -- Sports - Authorizes board of directors for Tennessee sports hall of fame to appoint up to five ex officio voting members instead of nonvoting members; removes one-year limit on term of office for president of such board. Amends TCA Section 4-3-5403. by *Pruitt. (*SB3734 by *Harper)

House Bill No. 3756 -- Highway Signs - Expresses intent to name appropriate bridge on State Route 840 in honor of late Staff Sergeant Nathan J. Bailey, Tennessee National Guard. by *Pruitt. (*SB3735 by *Harper)

House Bill No. 3757 -- Highway Signs - Expresses intent to name appropriate bridge on State Route 840 in honor of late Sergeant Shannon D. Taylor, Tennessee National Guard. by *Buck, *Shepard, *Tidwell, *Bone. (*SB3766 by *Beavers)

***House Bill No. 3758** -- Driver Licenses - Authorizes persons with a commercial driver license to attend driver school if the violation of motor traffic laws occurred while driving a vehicle other than a commercial vehicle. Amends TCA Title 55, Chapter 50. by *Godsey.

House Bill No. 3759 -- Correction, Dept. of - Requires department of correction to provide bullet-resistant vests to correctional officers transporting inmates outside penitentiary facilities. Amends TCA Title 41, Chapter 1. by *Windle. (*SB2483 by *Kilby)

House Bill No. 3760 -- Special License Plates - Extends special license plate provisions for active and retired members of the United States military and the United States military reserves to also apply to those persons honorably discharged. Amends TCA Title 55, Chapter 4, Part 2. by *Windle. (*SB2595 by *Tracy)

House Bill No. 3761 -- Mortgages - Revises the Residential Closing Funds Distribution Act of 2005. Amends TCA Title 45; Title 47 and Title 66. by *McCord, *Davis, *Shepard, *Cobb, *Fitzhugh, *Armstrong. (*SB3183 by *Cooper)

***House Bill No. 3762** -- Children's Services, Dept. of - Requires department to develop guidelines of drugs considered intoxicants; requires healthcare providers to test intoxicated persons responsible for minors and report results to department. Amends TCA Title 37; Title 55; Title 63 and Title 68. by *McCord. (SB3796 by *Finney)

House Bill No. 3763 -- Real Property - Increases penalty for failure to comply with notice requirements for the sale of land upon foreclosure, from a Class C misdemeanor to a Class A misdemeanor, punishable by fine only. Amends TCA Title 35, Chapter 5. by *McCord. (*SB3693 by *Finney)

House Bill No. 3764 -- Basic Education Program (BEP) - Requires annual reports to education committees of senate and house on individual incentive grants to schools and k-3 at-risk class size programs. Amends TCA Title 49, Chapter 3, Part 3. by *Brown. (*SB3784 by *Woodson)

THURSDAY, FEBRUARY 23, 2006 – FIFTY-SEVENTH LEGISLATIVE DAY

House Bill No. 3765 -- Redistricting, Congressional - Requires compliance with state and federal constitutions as well as judicial decisions in passing congressional redistricting plan. Amends TCA Title 2 and Title 3. by *Rinks. (*SB2889 by *Haynes)

***House Bill No. 3766** -- Election Laws - Requires municipalities to move local election to coincide with general election in November by 2010. Amends TCA Title 2; Title 4; Title 5; Title 6; Title 7 and Title 8. by *Rinks. (SB3824 by *Cooper)

House Bill No. 3767 -- Campaigns and Campaign Finance - Allows immediate family of registry of election finance staff persons to make campaign contributions. Amends TCA Title 2, Chapter 10 and Title 3, Chapter 6. by *Rinks, *Mumpower. (*SB3668 by *Haynes)

***House Bill No. 3768** -- Insurance Companies, Agents, Brokers, Policies - Establishes certain criteria governing employee benefit and welfare plans for employees of staff or employee leasing companies. Amends TCA Title 56. by *Rinks. (SB3855 by *Tracy)

***House Bill No. 3769** -- Public Officials - Allows judges of circuit or chancery courts to elect to transfer previous service in retirement Group 3 to retirement Group 4 and to aggregate time served in the two groups for purposes of calculating retirement date. Amends TCA Title 8. by *Rinks. (SB3821 by *Cooper)

House Bill No. 3770 -- Zoning - Requires certain notices to be sent by certified mail to affected property owners for municipal and county rezoning of property. Amends TCA Title 13, Chapter 7. by *Rinks. (*SB3252 by *Burchett)

House Bill No. 3771 -- Veterans - Institutes mandatory, rather than permissive, compensation for senior accredited officer serving in a county veterans' service in proportion with the heads of similarly-sized county government departments. Amends TCA Title 58, Chapter 3, Part 1. by *Rinks. (*SB2959 by *Cooper)

House Bill No. 3772 -- Economic and Community Development - Requires commissioner to post counties and municipalities electing Tennessee River resort district status on the Web site of the department. Amends TCA Title 4, Chapter 3, Part 7; Title 57, Chapter 4 and Section 67-6-103. by *Rinks. (*SB3553 by *Cooper)

House Bill No. 3773 -- Physicians and Surgeons - Establishes a program in the department of health to disseminate funding to develop telemedicine as a means of delivering specialty care to TennCare recipients and the uninsured at FQHCs in conjunction with the University of Tennessee Memphis Health Science Center. Amends TCA Title 68. by *Rinks. (*SB3061 by *Kyle)

House Bill No. 3774 -- Eminent Domain - Limits the use of eminent domain under certain circumstances. Amends TCA Title 29. by *Rinks. (*SB3542 by *Herron)

House Bill No. 3775 -- Eminent Domain - Prohibits governmental or other entity from taking private property by eminent domain for purpose of private economic development, private redevelopment or improving tax base and places burden of proof on the taking entity to show it is for some other purpose. Amends TCA Title 6; Title 7; Title 12; Title 13; Title 29; Title 49 and Title 68. by *Rinks. (*SB2420 by *Norris)

THURSDAY, FEBRUARY 23, 2006 – FIFTY-SEVENTH LEGISLATIVE DAY

House Bill No. 3776 -- Sexual Offenses - Authorizes government to seize conveyance or other personal property used in commission of sexual offense against a minor. Amends TCA Title 39, Chapter 13 and Title 40, Chapter 33. by *Rinks. (*SB3245 by *Burchett)

House Bill No. 3777 -- Criminal Offenses - Increases the age of children to whom the offense of child neglect applies from "under the age of 13" to "under the age of 17." Amends TCA Section 39-15-401. by *Rinks. (*SB2697 by *Kilby)

House Bill No. 3778 -- Traffic Safety - Increases, from 200 to 300 feet, distance required for clear view of vehicle parked on highway outside business or residential district. Amends TCA Title 55. by *Rinks. (*SB2704 by *Norris)

House Bill No. 3779 -- Transportation, Dept. of - Revises duties of the commissioner to require the estimated dollar amount needed to implement the long range and coordinated statewide transportation plan be reported to the general assembly every year or more frequently as the commissioner may determine. Amends TCA Title 3; Title 4 and Title 54. by *Rinks. (*SB2703 by *Norris)

House Bill No. 3780 -- Tennessee Emergency Management Agency (TEMA) - Requires development of statewide planning and mapping system for public buildings. Amends TCA Title 39, Chapter 13, Part 8 and Title 58, Chapter 2. by *Rinks. (*SB3206 by *Tracy)

House Bill No. 3781 -- Military - Authorizes lump sum payment of \$80,000 to beneficiaries of member of military killed in training or on active duty. Amends TCA Section 58-1-230. by *Rinks. (*SB3474 by *Herron)

House Bill No. 3782 -- Military - Directs department of military to provide assistance to each member of the national guard and such member's spouse upon return of deployment of such member. Amends TCA Title 58, Chapter 1. by *Rinks. (*SB3396 by *Herron)

House Bill No. 3783 -- State Employees - Grants state employee spouses of members of the United States armed forces one day off from work with pay upon deployment and upon return from deployment of the member. Amends TCA Section 8-30-215. by *Rinks. (*SB3372 by *Herron)

House Bill No. 3784 -- Military - Creates the military family assistance trust fund to assist financially uncertain military families. Amends TCA Title 58, Chapter 1. by *Rinks. (*SB3373 by *Herron)

House Bill No. 3785 -- Salaries and Benefits - Allows active duty members of the air national guard and army national guard to participate in the group insurance plan for state employees. Amends TCA Title 8, Chapter 27. by *Rinks. (*SB3387 by *Herron)

House Bill No. 3786 -- TennCare - Requires the department of finance and administration to report those employers who employ 25 or more individuals who receive TennCare benefits or whose dependents receive TennCare benefits. Amends TCA Title 71, Chapter 5. by *Rinks. (*SB3374 by *Herron)

THURSDAY, FEBRUARY 23, 2006 – FIFTY-SEVENTH LEGISLATIVE DAY

House Bill No. 3787 -- Utilities, Utility Districts - Allows utility districts to invest in non-convertible debt securities by the federal home loan mortgage corporation; allows investments with a maturity of greater than four years if the obligation may be tendered by the holder to the issuer or if such maturity is approved by state director of local finance. Amends TCA Title 7, Chapter 82. by *McCord. (*SB3263 by *Burchett)

House Bill No. 3788 -- Municipal Government - Allows municipalities to invest in securities that are rated in the highest category by at least one nationally recognized service instead of two nationally recognized services; allows investments in non-convertible debt securities by the federal home loan mortgage corporation. Amends TCA Title 6, Chapter 56. by *McCord. (*SB3264 by *Burchett)

House Bill No. 3789 -- County Government - Allows counties to invest in securities that are rated in the highest category by at least one nationally recognized service instead of two nationally recognized services; allows investments in non-convertible debt securities by the federal home loan mortgage corporation. Amends TCA Title 5, Chapter 8. by *McCord. (*SB3262 by *Burchett)

***House Bill No. 3790** -- Planning, Public - Enacts the "Tennessee Mountain and Hillside Protection Act." Amends TCA Title 13 and Title 68. by *McCord.

***House Bill No. 3791** -- Pensions and Retirement Benefits - Requires educational and athletic associations whose administrative employees participate in TCRS to notify the board of trustees of reemployment of retired member; requires such associations to report annually any retired members performing any functions or duties for the association. Amends TCA Title 8, Chapters 34 through 36. by *Winningham. (SB3788 by *Woodson)

House Bill No. 3792 -- Firefighters - Requires all fire service assistants to the commissioner of commerce and insurance to complete 16 hours of fire service training within one year of becoming an assistant. Amends TCA Section 68-102-108. by *Hood, *Coleman. (*SB3718 by *Ketron)

House Bill No. 3793 -- Taxes, Exemption and Credits - Exempts from diesel tax farm grade diesel fuel purchased by county, municipal or volunteer fire departments for use in vehicles used in fighting fires. Amends TCA Title 67, Chapter 3, Part 4. by *Hood, *Coleman. (*SB3719 by *Ketron)

House Bill No. 3794 -- Local Government, General - Broadens the scope of power and taxing authority possessed by local government. Amends TCA Title 5, Chapter 1, Part 1; Title 6, Chapter 54, Part 1 and Title 67. by *Hood. (*SB3774 by *Burchett)

House Bill No. 3795 -- Medical Occupations - Authorizes boards of allied health care professions to enter into certain agreements with nonprofit entities for the purpose of guiding the development of allied health care professions. Amends TCA Title 63. by *Hood, *Coleman. (*SB3716 by *Ketron)

House Bill No. 3796 -- Education - Retains state funding for students on suspension. Amends TCA Title 49, Chapter 3 and Title 49, Chapter 6. by *Hood. (*SB2867 by *Cohen)

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House Bill No. 3797 -- Hospitals and Health Care Facilities - Requires providers of abortion services and providers of pregnancy counseling services to give minors seeking services information regarding statutory rape. Amends TCA Title 68, Chapter 11. by *Casada. (*SB2693 by *Finney, *Black)

House Bill No. 3798 -- Obscenity and Pornography - Creates Class A misdemeanor offenses of distributing unlawful sexual devices and wholesale distributing of unlawful sexual devices. Amends TCA Title 39, Chapter 17, Part 9. by *Swafford. (*SB3794 by *Burks)

House Bill No. 3799 -- Municipal Government - Authorizes a municipal government which owns, operates or maintains ambulances as part of the services provided by the municipality to select the color of its ambulances. Amends TCA Section 55-8-101 and Title 68, Chapter 140, Part 5. by *Jones U, *DeBerry J, *Miller L, *Moore. (*SB3783 by *Harper)

House Bill No. 3800 -- Medical Occupations - Expands the duties of the emergency medical services board to certify training centers to train paramedics. Amends TCA Title 68, Chapter 140, Part 5. by *Jones U, *DeBerry J, *Miller L, *Moore. (*SB3764 by *Kyle)

***House Bill No. 3801** -- Fire Prevention and Investigation - Permits the continued use of Medico boxes as an approved emergency keyed lock box in counties that currently place such boxes next to each bank of functioning elevators in a hospital, recuperation center, nursing home, residential hospice, home for the aged, residential HIV supportive living facility, assisted-care living facility or ambulatory surgical treatment center. Amends TCA Section 4-3-1114; Section 49-7-136 and Section 68-11-261. by *Jones U, *DeBerry J, *Miller L, *Moore.

***House Bill No. 3802** -- Zoning - Requires approval by persons living in affected areas in Davidson County before historic zoning can be adopted; historic zoning commission must certify that property values will not be diminished due to such historic zoning. Amends TCA Title 13, Chapter 7, Part 4. by *Jones U, *Harwell.

House Bill No. 3803 -- Alcoholic Beverages - Creates a Class A misdemeanor offense for any person to knowingly allow or fail to prohibit the consumption of alcoholic beverages by a person under age 21, except for a parent or legal guardian. Amends TCA Title 57. by *Jones U, *DeBerry J. (*SB3473 by *Herron)

House Bill No. 3804 -- Highways, Roads and Bridges - Clarifies legislative intent that all county seats be connected by a four-lane highway to the nearest interstate highway by the shortest route over an existing highway by July 1, 2015. Amends TCA Section 54-5-102. by *Harmon, *Pinion, *Fowlkes, *Cobb, *Fraley, *Curtiss, *Hackworth, *Stanley, *Turner M, *McDaniel, *Pleasant, *Ferguson, *Litz, *McKee, *McCord, *Fitzhugh, *Hawk, *Hargrove, *Shepard, *Winningham, *Davis, *Tidwell, *Maddox, *Swafford, *Briley, *Watson E, *Bone, *Davidson, *Borchert, *Harrison, *Windle. (*SB2961 by *Cooper)

House Bill No. 3805 -- Highways, Roads and Bridges - Requires the department of transportation to connect all county seats which have not yet been connected by a four-lane highway to the nearest interstate highway by the shortest route over an existing highway by December 1, 2015. Amends TCA Title 54, Chapter 5, Part 1. by *Harmon, *Pinion, *Fowlkes, *Cobb, *Fraley, *Curtiss, *Hackworth, *Stanley, *Turner M, *McDaniel, *Pleasant, *Ferguson, *Litz, *McKee, *McCord, *Fitzhugh, *Hensley, *Hargrove, *Sontany, *Davis, *Yokley, *Tindell, *Maggart, *Tidwell, *Briley, *West, *Bone, *Davidson, *Borchert, *Harrison. (*SB2960 by *Cooper)

THURSDAY, FEBRUARY 23, 2006 – FIFTY-SEVENTH LEGISLATIVE DAY

***House Bill No. 3806** -- Jails, Local Lock-ups - Establishes certain qualifications for jailers hired after July 1, 2006; creates Class A misdemeanor offense for appointing or paying jailer failing to meet minimum qualifications. Amends TCA Title 41, Chapter 4. by *Harmon.

House Bill No. 3807 -- Mortgages - Requires certain notices to be sent to debtors and co-debtors on any sale of land to foreclose a deed of trust, mortgage or other lien securing property; establishes new maximum effective interest rates for home loans; and places limitations on the execution of documents for home loans. Amends TCA Title 35; Title 45; Title 47; Title 56; Title 62 and Title 66. by *Harmon. (*SB3800 by *Southerland)

House Bill No. 3808 -- Taxes, Sales - Defines the term "building" for certain purposes related to the sales tax. Amends TCA Title 67, Chapter 6. by *Johnson P. (*SB3412 by *Kurita)

House Bill No. 3809 -- Insurance, Health, Accident - Requires comptroller's office of research to assess report of department of commerce and insurance on options to expand health insurance coverage in the state and to research further options. Amends TCA Title 56 and Title 71. by *Hensley. (*SB3025 by *Bryson)

House Bill No. 3810 -- Insurance, Health, Accident - Prohibits health insurers from subsequently rescinding or modifying pre-authorization given to a medical provider for an approved procedure or denying the authorized payment for such service after the provider renders the service in good faith and pursuant to the authorization, except for payments made as a result of the provider's misrepresentation or fraud. Amends TCA Title 56. by *Hensley. (*SB3407 by *Bryson)

House Bill No. 3811 -- Education, Higher - Requires each public university and community college to institute a civic responsibility course requiring students to work as election officials, if appointed. Amends TCA Title 2 and Title 49. by *Marrero, *Sontany, *Jones U, *Towns, *Kernell, *Cooper B, *Brooks (Shelby), *Hackworth, *Jones S, *Cobb, *Buck, *Moore, *Casada, *Pleasant. (*SB3711 by *Woodson)

House Bill No. 3812 -- TennCare - Requires commissioner of health to adhere to requirements for promulgating public necessity rules as part of compliance with or implementation of provisions of any federal waiver of state plan amendment. Amends TCA Section 71-5-134. by *Marrero, *Turner L. (*SB3648 by *Harper)

House Bill No. 3813 -- Sunset Laws - Enacts the "Government Reduction Act of 2006." Amends TCA Title 4; Title 43, Chapter 33; Title 62, Chapter 43; Title 68, Chapter 11 and Title 71, Chapter 5. by *Marrero, *Turner L. (*SB3651 by *Harper)

House Bill No. 3814 -- Municipal Government - Rewrites certain provisions concerning slum clearance and redevelopment. Amends TCA Title 13, Chapter 21, Part 1 and Title 29, Chapter 1, Part 1. by *Miller L, *Rowe. (*SB3098 by *Cohen)

House Bill No. 3815 -- Pensions and Retirement Benefits - Requires educational and athletic associations whose administrative employees participate in TCRS to notify the board of trustees of reemployment of retired member. Amends TCA Title 8, Chapters 34 through 36. by *Sargent. (*SB3466 by *Bryson)

THURSDAY, FEBRUARY 23, 2006 – FIFTY-SEVENTH LEGISLATIVE DAY

House Bill No. 3816 -- Insurance, Life - Revises definition of life settlement contracts; prohibits any person from entering into certain life settlement contracts unless the seller certifies to the life settlement provider that certain conditions have been met. Amends TCA Title 56, Chapter 50, Part 1. by *Sargent. (*SB3790 by *Ketron)

House Bill No. 3817 -- Motor Vehicles - Clarifies that definition of "motor vehicle in the motor vehicle sales licensing statute includes both used and new vehicles. Amends TCA Title 55. by *Curtiss. (*SB3081 by *Burks)

***House Bill No. 3818** -- Highway Signs - "Sgt. Roger D. Rowe Memorial Bridge," State Route 840 in Williamson County. by *Shepard, *Tidwell. (SB3825 by *Jackson)

House Bill No. 3819 -- Education, Curriculum - Directs the comptroller's office of education accountability to evaluate the effectiveness of family life curricula in helping youth to abstain from sexual activities, prevent unwanted pregnancies and prevent sexually transmitted diseases. Amends TCA Title 49, Chapter 6, Part 13. by *DeBerry J. (*SB3472 by *Herron)

***House Bill No. 3820** -- Real Property - Authorizes landowners to recover three times their damages for loss of use of real property due to criminal trespass. Amends TCA Title 29; Title 39, Chapter 14, Part 4 and Title 66. by *DeBerry J.

House Bill No. 3821 -- Parks, Natural Areas Preservation - Requires department of environment and conservation to consult with county assessor of property before purchasing property for state park purposes. Amends TCA Title 11. by *Hargrove. (*SB2969 by *Burks)

House Bill No. 3822 -- Credit Unions - Requires bylaws to be amended by vote of three fifths of the entire board of directors instead of two thirds of the entire board. Amends TCA Title 45, Chapter 4, Part 12. by *Hargrove. (*SB3772 by *Woodson)

House Bill No. 3823 -- Radio and Television - Requires a municipality to file its cable television franchise agreements with the Tennessee regulatory authority; requires the TRA to promptly post such franchise agreements on its Web site. Amends TCA Title 7, Chapter 59 and Title 65. by *Hargrove. (*SB3266 by *Burchett)

House Bill No. 3824 -- Radio and Television - Authorizes and empowers the Tennessee regulatory authority to receive, review and resolve consumer disputes involving any cable television company or system doing business in this state. Amends TCA Title 65. by *Hargrove. (*SB3515 by *Crutchfield)

House Bill No. 3825 -- Insurance Companies, Agents, Brokers, Policies - Revises accounting procedures for certain insurance company transactions with a federal home loan bank that may constitute admissible assets of certain domestic insurance companies. Amends TCA Section 56-3-115. by *Hargrove. (*SB3145 by *Southerland)

House Bill No. 3826 -- Courts, Juvenile - Authorizes the dissemination of more information about juvenile court cases to the council of juvenile and family court judges and gives the council some discretion to use the information for research. Amends TCA Title 37, Chapter 1, Part 5. by *DeBerry L. (*SB3557 by *Person, Curtis)

THURSDAY, FEBRUARY 23, 2006 – FIFTY-SEVENTH LEGISLATIVE DAY

House Bill No. 3827 -- Taxes, Personal Property - Expands the definition of intangible personal property to include computer software. Amends TCA Section 67-5-501. by *DeBerry L. (*SB2544 by *Person, Curtis)

House Bill No. 3828 -- Rutherford County - Subject to local approval, revises definition of "person" to include governmental entities other than the federal government. Amends Chapter 104 of the Private Acts of 1983; as amended. by *Coleman, *Hood, *Rowland, *Cobb. (SB3831 by *Tracy)

***House Bill No. 3829** -- Solid Waste Disposal - Requires TACIR to compile a study of solid waste in Tennessee and report to the general assembly by February 28, 2007. Amends TCA Title 68, Chapter 211. by *Coleman. (SB3835 by *Jackson)

House Bill No. 3830 -- Architects, Engineers and Designers - Enacts the "Tennessee Interior Design Consumer Protection Act." Amends TCA Title 62, Chapter 2 and Section 62-37-103. by *Sontany. (*SB3715 by *Ketron)

House Bill No. 3831 -- District Attorneys - Revises pay schedule for all assistant district attorneys general hired after July 1, 1994, and for certain assistant district attorneys general hired prior to July 1, 1994, and reclassified by the executive director of the district attorneys general conference on or after June 30, 2006. Amends TCA Title 8, Chapter 7. by *Fowlkes, *McMillan, *Coleman, *Stanley. (*SB3662 by *Haynes)

House Bill No. 3832 -- Criminal Offenses - Raises age limit for which knowingly inflicting injury on child is a Class D felony from six to eight years of age; raises age limit for which the knowing abuse or neglect of a child is a Class A misdemeanor from 13 to 18; raises age limit for which the knowing abuse or neglect of a child is a Class E felony from six to eight years of age; authorizes district attorney to file a case of child abuse, neglect or endangerment directly with grand jury. Amends TCA Title 39, Chapter 15. by *McMillan, *Ferguson, *DeBerry J. (*SB3671 by *Woodson)

House Bill No. 3833 -- Criminal Offenses - Creates new offense of aggravated rape of a child where child is 10 or younger; adds aggravated rape of a child to list of offenses making offender ineligible for release and requiring offender to serve 100 percent of sentence. Amends TCA Title 39, Chapter 13 and Section 40-35-501. by *McKee, *McMillan, *Coleman, *Stanley. (*SB3665 by *Fowler)

***House Bill No. 3834** -- Firearms and Ammunition - Increases penalties for unlawful possession of firearm, possessing firearm during commission of felony, and employing firearm during commission of felony; makes such sentences nonprobateable and served consecutively; creates offense of shooting firearm from vehicle. Amends TCA Title 39, Chapter 17, Part 13. by *Stanley. (SB3842 by *Person, Curtis)

House Bill No. 3835 -- Health Care - Specifies to whom claims for anatomic pathology services can be submitted for payment. Amends TCA Title 63, Chapter 6. by *Turner M. (*SB2893 by *Herron)

House Bill No. 3836 -- Campaigns and Campaign Finance - Limits individual campaign contributions to \$25,000 in the aggregate per year. Amends TCA Title 2, Chapter 10. by *Windle. (*SB2849 by *Kilby)

THURSDAY, FEBRUARY 23, 2006 – FIFTY-SEVENTH LEGISLATIVE DAY

House Bill No. 3837 -- Sexual Offenders - Requires person convicted of third or subsequent child rape to serve a minimum of 25 years in jail and, upon release, be subject to lifetime supervision and monitoring using GPS tracking technology. Amends TCA Section 39-13-522. by *Windle. (*SB3326 by *Kilby)

***House Bill No. 3838** -- Driver Licenses - Clarifies that driver with learner permit or intermediate driver license may not drive while operating a mobile telephone unless communication is due to bona fide emergency. Amends TCA Section 55-50-311. by *Brooks (Shelby).

***House Bill No. 3839** -- Cosmetology - Revises requirements relative to licensing and instructing natural hair styling. Amends TCA Title 62, Chapter 4. by *Brooks (Shelby). (SB3858 by *Kyle)

House Bill No. 3840 -- Criminal Procedure - Allows court to order defendant in post-trial proceeding who is believed to be incompetent to continue with such proceeding to be evaluated on an outpatient basis. Amends TCA Title 33, Chapter 7, Part 3. by *Johnson R. (*SB3749 by *Burchett)

***House Bill No. 3841** -- Education - Creates a program of grants to implement programs to achieve reading success for elementary schoolchildren. Amends TCA Title 49. by *Casada.

***House Bill No. 3842** -- Insurance, Health, Accident - Directs the comptroller to perform a study of legislation to authorize, under certain circumstances, independent health care providers to jointly negotiate with health care insurers. Amends TCA Title 47; Title 56 and Title 63. by *Casada.

House Bill No. 3843 -- Utilities, Utility Districts - Requires 30 days' advance notice to the governor and the comptroller of the treasury before a utility district may exercise eminent domain; clarifies existing law concerning constitutions and courts involving eminent domain. Amends TCA Title 7 and Title 68. by *Lynn. (*SB3736 by *Beavers)

House Bill No. 3844 -- Drugs - Permits the use of substitute drug products that have been approved by the federal food and drug administration and meet the administration's therapeutic equivalent rating. Amends TCA Title 53, Chapter 10. by *Rowland. (*SB3738 by *Beavers)

House Bill No. 3845 -- TennCare - Enacts "TennCare Pharmacy Cost to Dispense Act of 2006." Amends TCA Title 4. by *Rowland. (*SB3739 by *Beavers)

House Bill No. 3846 -- Workers' Compensation - Permits venue in county where employer is located or in county where incident occurred in regard to actions where the employer is a county or a municipal corporation. Amends TCA Section 50-6-225. by *West, *Langster, *Jones S. (*SB3453 by *Harper)

***House Bill No. 3847** -- Education - Requires Tennessee School Board Association to appear annually before fiscal review committee and to appoint comptroller and commissioner of education or their designees as voting members of the association's board of directors. Amends TCA Title 49, Chapter 2, Part 20. by *Bunch. (SB3815 by *Southerland)

THURSDAY, FEBRUARY 23, 2006 – FIFTY-SEVENTH LEGISLATIVE DAY

House Bill No. 3848 -- Consumer Protection - Makes the selling of a consumer item with a radio frequency identification tag (RFID) a violation of the Consumer Protection Act unless such RFID is removed upon purchase of the item. Amends TCA Title 47, Chapter 18. by *Towns. (*SB3816 by *Bowers)

***House Bill No. 3849** -- Mortgages - Enacts the "Tennessee Home Protection Act of 2006." Amends TCA Title 47. by *Fitzhugh.

***House Bill No. 3850** -- Sexual Harassment - Provides for release of investigatory records and information pertaining to sexual harassment or sex discrimination charges brought against a member of the general assembly. Amends TCA Title 3, Chapter 13, Part 1. by *Johnson P.

House Bill No. 3851 -- Traffic Safety - Requires an engineering and traffic investigation prior to establishing a special speed zone, requires signs and lights that comply with national standards designating such zones, and increases period when school zones are in affect. Amends TCA Section 55-8-152 and Section 55-8-153. by *Gresham, *Buck. (*SB3713 by *Norris)

House Bill No. 3852 -- Textbooks - Includes the Professional Educators of Tennessee in the list of organizations notified in advance of state textbook commission meetings. Amends TCA Title 49, Chapter 6, Part 22. by *Gresham, *Hensley, *Niceley, *Bunch, *Johnson C. (*SB3193 by *Woodson, *Tracy)

House Bill No. 3853 -- Teachers, Principals and School Personnel - Eliminates "violation of the Tennessee Education Association ethics code in such a manner as to make one obnoxious as a member of the profession" from definition of insubordination as it relates to a teacher's tenure. Amends TCA Section 49-5-501. by *Gresham, *Hensley, *Niceley, *Johnson C. (*SB3192 by *Woodson, *Tracy)

House Bill No. 3854 -- Highway Patrol - Restricts political activities of members of the Tennessee highway patrol. Amends TCA Title 4, Chapter 7. by *Gresham, *Buck, *Niceley, *Campfield, *Clem, *Hill, *Swafford, *Cochran, *Strader, *Todd, *Kelsey, *Rowland, *Lynn, *Maggart, *Eldridge, *Stanley, *Bunch, *Baird, *Pleasant, *Crider, *Hawk, *Casada, *Brooks (Knox), *Sargent, *Hensley. (*SB3761 by *Norris)

House Bill No. 3855 -- Public Officials - Narrows exceptions to Little Hatch Act for certain public officials; prohibits soliciting political contributions, promising or depriving one of benefits for political activity; applies to popularly elected officials, constitutional officers, members of governor's cabinet and staff, and teachers. Amends TCA Title 2, Chapter 19, Part 2. by *Buck, *Gresham. (*SB3758 by *Norris)

House Bill No. 3856 -- Civil Service - Requires department of personnel to post notice of entrance tests on its Web site at least two weeks in advance of such test; adds veterans of Operation Iraqi Freedom and Operation Enduring Freedom to persons authorized to receive veterans' preference points for entrance into career service. Amends TCA Title 8, Chapter 30. by *Buck, *Gresham. (*SB3759 by *Norris)

THURSDAY, FEBRUARY 23, 2006 – FIFTY-SEVENTH LEGISLATIVE DAY

House Bill No. 3857 -- Firearms and Ammunition - Prohibits governor from commandeering firearms or suspending sale of ammunition during state of emergency; prohibits state, public officials and local governments from imposing additional restrictions on firearms and ammunition during state of emergency or disaster. Amends TCA Section 58-2-107. by *Crider. (*SB2928 by *Norris)

***House Bill No. 3858** -- Highways, Roads and Bridges - Directs the department of transportation to indicate presence of highway construction workers with signs which have retroreflective markings for visibility at night and in low-light conditions in addition to flashing amber lights. Amends TCA Title 55. by *Crider.

House Bill No. 3859 -- Gibson - Subject to local approval, provides a new charter for the Town of Gibson. - Repeals Chapter 243 of the Private Acts of 1992. by *Crider. (SB3808 by *McLeary)

House Bill No. 3860 -- Highway Signs - "Deputy Roger Norvell Memorial Highway," segment of State Route 104 in Gibson County. by *Crider. (*SB3807 by *McLeary)

House Bill No. 3861 -- Sexual Offenders - Requires resident sexual offenders and violent sexual offenders to obtain and carry driver license or photo identification card and requires department of safety to design such license or card in manner that allows law enforcement officers to ascertain the person is a sexual offender. Amends TCA Title 40, Chapter 39, Part 2 and Title 55, Chapter 50. by *Gresham, *Jones U, *Brooks (Shelby), *Cobb, *Cooper B, *Davidson, *West, *Coleman, *Towns, *DuBois, *Baird, *Marrero, *Rowland, *Jones S, *Fitzhugh, *Rowe, *Bunch, *Pleasant, *Hargrove, *McCord, *Johnson R, *McDonald, *Matheny, *Tindell, *Watson B, *Hackworth, *Crider, *McCormick, *McKee, *Mumpower. (*SB2708 by *Norris)

House Bill No. 3862 -- Utilities, Utility Districts - Requires, in certain situations, approval by the county commission before the board of commissioners of a utility district can change the current method for filling vacancies occurring on such board. Amends TCA Section 7-82-307. by *Crider. (*SB3687 by *McLeary)

House Bill No. 3863 -- Driver Licenses - Requires that all driver licenses bear a color photograph of the applicant by removing present exemption for certain persons aged 60 or older. Amends TCA Title 55, Chapter 50, Part 3. by *Crider. (*SB3686 by *McLeary)

***House Bill No. 3864** -- Highways, Roads and Bridges - Requires any municipality that derives 50 percent or more of its annual revenue from fines and costs associated with speeding tickets to post the speed limit on certain roads within its jurisdiction using blue signage. Amends TCA Title 55, Chapter 8. by *Crider.

House Bill No. 3865 -- Health, Dept. of - Revises emergency medical services statute to remove the provision whereby an individual aircraft is not required to have an air ambulance permit; deletes provision concerning certain air ambulance services provided without compensation. Amends TCA Section 68-140-507. by *Crider. (*SB3458 by *McLeary)

House Bill No. 3866 -- Utilities, Utility Districts - Requires ratification elections in utility districts that currently elect commissioners before the commissioners may act to abolish such elections. Amends TCA Section 7-82-307. by *Crider. (*SB3657 by *McLeary)

THURSDAY, FEBRUARY 23, 2006 – FIFTY-SEVENTH LEGISLATIVE DAY

***House Bill No. 3867** -- Tort Liability and Reform - Limits liability of certain 501(c)(3) corporations. Amends TCA Title 29 and Title 48. by *Towns. (SB3863 by *Ford, O.)

House Bill No. 3868 -- Gas, Petroleum Products, Volatile Oils - Provides incentives for the production and use of agriculture-based fuels through a pilot project in the eastern grand division of the state. Amends TCA Title 54, Chapter 1 and Title 68, Chapter 135. by *Armstrong. (*SB3014 by *Woodson)

House Bill No. 3869 -- Bail, Bail Bonds - Requires applicant to become bonding company owner to have at least two years of experience with bonding company in good standing and provides that court may prohibit bondsman who is discharged in bankruptcy leaving outstanding forfeitures from further bonding. Amends TCA Title 40, Chapter 11, Part 3. by *Armstrong. (*SB2906 by *Woodson)

House Bill No. 3870 -- Students - Clarifies law to require that certain students with diabetes may possess sharps on their person. Amends TCA Section 49-5-415. by *Armstrong. (*SB2658 by *Black)

House Bill No. 3871 -- Education - Outlines the criteria for school personnel or adult volunteers to perform diabetes care tasks for students. Amends TCA Title 49, Chapter 5. by *Armstrong. (*SB3612 by *Woodson)

House Bill No. 3872 -- Employees, Employers - Requires employee leasing companies to provide written notice to employees of the responsibilities or tasks that the employee must accomplish in order to be considered for a permanent position with the client; provided, that such notice is not to be construed as an employment contract or guarantee of employment. Amends TCA Title 62, Chapter 43. by *Turner M. (*SB3823 by *Cooper)

***House Bill No. 3873** -- Taxes - Imposes a state sales tax rate of 3.5 percent on over-the-counter drugs instead of 7 percent; and increases the brackets and tax rates on the state inheritance tax. Amends TCA Title 67. by *Turner M.

House Bill No. 3874 -- Highway Signs - Expresses intent to name appropriate bridge on State Route 840 in honor of late Staff Sergeant David L. Loyd, Tennessee National Guard. by *Shaw. (*SB3809 by *McLeary)

House Bill No. 3875 -- Credit and Debit Cards - Restricts the processing fee charged to retail merchants for the use of credit or debit cards to .75% per transaction. Amends TCA Title 47, Chapter 22. by *Armstrong. (*SB3813 by *Kilby)

House Bill No. 3876 -- Nuisances - Expands public nuisance to include certain vacant structures. Amends TCA Title 29, Chapter 3, Part 1. by *Miller L. (*SB3099 by *Cohen)

House Bill No. 3877 -- Motor Vehicles - Clarifies that habitual offender status includes offenses of adult driving while impaired, reckless driving, drag racing or evading arrest in a motor vehicle. Amends TCA Section 55-10-603. by *Coleman. (*SB3512 by *Norris)

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***House Bill No. 3878** -- Appeal and Review - Prohibits appeal from order approving negotiated plea agreement that incorporated an agreed disposition in delinquent and unruly cases in juvenile court; prohibits appeal from judgment of conviction or other order approving negotiated plea agreement that incorporated an agreed sentence in general sessions court. Amends TCA Title 27 and Title 37. by *Coleman. (SB3837 by *Jackson)

House Bill No. 3879 -- Bail, Bail Bonds - Requires criminal background checks be conducted upon applicants seeking to become professional bondsmen. Amends TCA Section 40-11-317. by *Johnson R. (*SB3812 by *Kilby)

House Bill No. 3880 -- Nuisances - Replaces "assignation" with "prostitution" in definition of nuisance; expands definition of "place" to include all property where nuisance is located that is owned, managed or under control of violator. Amends TCA Title 29, Chapter 3. by *Stanley. (*SB3652 by *Fowler)

House Bill No. 3881 -- Short Term Loans and Lenders - Sets the maximum aggregate amount of tangible net worth required for a single title pledge lender at \$600,000. Amends TCA Section 45-15-106. by *Overbey. (*SB3555 by *Cooper)

House Bill No. 3882 -- Professions and Occupations - Eliminates conflict of interest provisions regarding referrals when health care services are furnished in the office or the same or centralized building of referring physician or group; permits physicians who are members of business entity to divide fees. Amends TCA Section 63-13-312 and Section 63-6-602. by *Odom, *Hensley. (*SB3841 by *Person, Curtis)

House Bill No. 3883 -- Taxes, Sales - Exempts from the sales and use tax any motor vehicle awarded by a motor vehicle dealer as a prize at no cost to a high school student based on academic excellence. Amends TCA Title 67, Chapter 6, Part 3. by *Bone. (*SB3826 by *Burks)

House Bill No. 3884 -- General Assembly, Ethics - Requires any caucus of the general assembly to report expenditures and contributions to the registry of election finance on a daily basis and to keep financial records for five years and authorizes the treasurer or the comptroller of the treasury to audit such caucuses. Amends TCA Title 3, Chapter 1. by *Buck. (*SB3726 by *Black)

House Bill No. 3885 -- Open Meetings - Requires general assembly to comply with open meetings requirements. Amends TCA Title 8, Chapter 44, Part 1. by *Buck. (*SB3437 by *Jackson)

House Bill No. 3886 -- Motor Vehicles, Titling and Registration - Increases penalty from \$100 to \$250 fine for unauthorized parking in disabled person's designated parking space; and requires proper signage of such increased fine. Amends TCA Title 55, Chapter 21. by *Buck. (*SB3714 by *Norris)

House Bill No. 3887 -- Highway Signs - Expresses intent to name appropriate bridge on State Route 840 in honor of late Staff Sergeant Asbury F. Hawn II, Tennessee National Guard. by *Bone. (*SB3829 by *Beavers)

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House Bill No. 3888 -- Taxes, Exemption and Credits - Removes tax credits for companies that reduce insurance and retirement benefits for existing employees and retirees of such companies. Amends TCA Title 67, Chapter 4, Part 21. by *Towns. (*SB3047 by *Ford, O.)

House Bill No. 3889 -- Racing and Motor Sports - Revives the Tennessee racing commission. Amends TCA Title 4, Chapter 29, Part 2 and Title 4, Chapter 36. by *Towns. (*SB3213 by *Cohen)

House Bill No. 3890 -- Election Laws - Grants the right to vote to persons convicted of a felony after 1981 who have paid restitution to their victims and who have been pardoned, served their sentence, or served their probation requirements. Amends TCA Title 40, Chapter 29. by *Towns. (*SB3191 by *Bowers)

House Bill No. 3891 -- Criminal Offenses - Requires person convicted of selling drugs on grounds of or within 1,000 feet of place of worship to serve entire minimum sentence for appropriate range before being eligible for sentence credits or release. Amends TCA Title 39, Chapter 17, Part 4. by *Towns. (*SB3545 by *Ford, O.)

House Bill No. 3892 -- Workers' Compensation - Revises the information to be included in the annual report of the advisory council. Amends TCA Title 13, Chapter 7; Title 38, Chapter 6; Title 50, Chapter 3; Title 50, Chapter 6; Title 50, Chapter 9 and Title 56. by *Hargrove. (*SB3628 by *Haynes)

***House Bill No. 3893** -- Children - Requires juveniles who are court ordered to attend or voluntarily attend an inpatient mental health treatment program to present a certificate of completion to the school principal two days prior to resuming or enrolling in school; authorizes schools to deny enrollment for failure to submit certificate to school principal; requires hospital or treatment resource to provide a certificate of completion to children completing treatment programs. Amends TCA Title 33; Title 37 and Title 49. by *Baird. (SB3846 by *Woodson)

***House Bill No. 3894** -- Animals and Animal Cruelty - Expands prohibition on selling, offering, bartering, or giving away dyed rabbits as pets, toys, premiums or novelties to rabbits of any age instead of rabbits less than two months of age. Amends TCA Title 39, Chapter 14, Part 2. by *Marrero.

***House Bill No. 3895** -- General Assembly, Directed Studies - Creates a special study committee regarding fairness in the administration of the death penalty; establishes a three-year moratorium on carrying out executions, pending the completion of the study. by *Marrero.

***House Bill No. 3896** -- Emergency Communications Districts - Authorizes emergency communications board to administer the deployment of 911 service with regard to emerging technologies. Amends TCA Section 7-86-306. by *Jones U.

***House Bill No. 3897** -- Education - Requires education associations and organizations receiving government funds and performing duties that assist K-12 education to file an annual written report to the select oversight committee on education. Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 10; Title 12; Title 29; Title 35; Title 48; Title 49 and Title 56. by *Winningham. (SB3845 by *Woodson)

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***House Bill No. 3898** -- Energy - Requires approval of county commission before more than 30 percent of assets of municipally-owned utility can be sold or leased. Amends TCA Title 6, Chapter 56 and Title 9, Chapter 21, Part 1. by *Kernell. (SB3847 by *Ford, O.)

***House Bill No. 3899** -- Taxes, Excise - Reduces taxes, interest and penalties owed by dealers for unauthorized substances by levying tax from time of conviction, if any, instead of from time of possession. Amends TCA Title 67, Chapter 4, Part 28. by *Buck. (SB3943 by *Kilby)

***House Bill No. 3900** -- Highway Signs - Provides for erection and maintenance of directional signs for Historic Richard Hardy Memorial School on I-24 at Exit 152 (U.S. 72/Historic South Pittsburg). by *Harmon. (SB3862 by *Crutchfield)

***House Bill No. 3901** -- Optometry - Prohibits practice of optometry in a retail store or establishment where merchandise is displayed or offered for sale and grandfathers optometrists practicing in a retail store or commercial establishment on June 1, 2006; whenever an optometrist vacates such premises or a base lease expires or is renewed, premises must be remodeled to comply with relevant provisions of law. Amends TCA Title 63, Chapter 8. by *Mumpower. (SB3856 by *Henry)

***House Bill No. 3902** -- Consumer Protection - Makes it an unfair and deceptive act in violation of the Consumer Protection Act to knowingly solicit by means of advertisements a product to a person legally unable to purchase it. Amends TCA Title 47. by *Fitzhugh.

***House Bill No. 3903** -- Courts, Municipal - Clarifies that municipal courts have jurisdiction over violations of ordinances in the municipality or over any municipal law that duplicates the language of a state criminal statute if the state crime is a Class C misdemeanor and the maximum penalty is a \$50.00 civil fine. Amends TCA Title 16 and Title 55. by *Fowlkes. (SB3848 by *Person, Curtis)

***House Bill No. 3904** -- Fireworks - Requires licensure of fireworks exhibitors; authorizes state fire marshal to set fees for licensure. Amends TCA Title 4 and Title 68 relative to pyrotechnics. by *Todd.

***House Bill No. 3905** -- Common Carriers - Requires freight entering the United States through ports located in New York, New Jersey, Baltimore, New Orleans, Miami, and Philadelphia and traversing over the roads of Tennessee to carry manifest documentation indicating the port of entry, origin, and contents of the freight. Amends TCA Title 65. by *Jones S. (SB3944 by *Kilby)

***House Bill No. 3906** -- Taxes, Sales - Exempts retail sale of food and food ingredients for human consumption from taxation. Amends TCA Title 67, Chapter 6. by *Langster. (SB3942 by *Cooper)

***House Bill No. 3907** -- Drugs - Provides that at least 10 percent of the special revenue fund created as the result of fines, forfeitures and confiscations from drug violations is to be used to establish, fund or maintain a drug court in that county or that judicial district. Amends TCA Title 16, Chapter 22 and Title 39, Chapter 17, Part 4. by *Sargent. (SB3849 by *Bryson)

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House Bill No. 3908 -- Consumer Protection - Directs the division of consumer affairs to monitor gasoline and diesel retail prices across the state and to issue consumer advisory warnings whenever the average prices within any municipality, county or region rise significantly higher than statewide average prices. Amends TCA Title 47, Chapter 18; Title 55, Chapter 1, Part 1 and Title 67, Chapter 3. by *Curtiss. (*SB3818 by *Cooper)

***House Bill No. 3909** -- Students - Requires one-year expulsion of a student making a bomb threat against a school, unless the director of schools modifies the expulsion on a case-by-case basis. Amends TCA Title 37; Title 39 and Title 49. by *Litz. (SB3850 by *Southerland)

House Bill No. 3910 -- Natural Disaster - Expands authority of governor to respond to natural or man-made emergencies. Amends TCA Title 58, Chapter 2. by *Hargett. (*SB3757 by *Norris)

House Bill No. 3911 -- Taxes, Real Property - Clarifies that the right of redemption of property terminates one year following the date of the tax sale instead of one year after entry of an order of confirmation of the tax sale by the court. Amends TCA Section 67-5-2702. by *Hargett. (*SB3804 by *Norris)

House Bill No. 3912 -- Local Government, General - Requires public agencies entering into interlocal agreements to file the agreements and an annual statement concerning the agreement with the comptroller; subjects self insurance pools created by governmental entities to annual audit by comptroller. Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 10; Title 12; Title 29; Title 35; Title 39; Title 48; Title 49; Title 56 and Title 67. by *Winningham. (*SB3789 by *Woodson)

***House Bill No. 3913** -- Campaigns and Campaign Finance - Enacts "Truth in Campaigning Act." Amends TCA Title 2, Chapter 1 and Title 2, Chapter 19. by *Crider.

***House Bill No. 3914** -- Taxes, Amusement - Abolishes a \$500 coin-operated machine master license tax for those persons owning one, but no more than one, coin-operated machine; imposes a \$10.00 machine tax for those persons owning one, but no more than one, coin-operated machine who are exempt from the master license tax. Amends TCA Title 67, Chapter 4, Part 22. by *Crider.

***House Bill No. 3915** -- Insurance Companies, Agents, Brokers, Policies - Prohibits an insurer from requiring an insured to certify something outside of the insured's knowledge. Amends TCA Title 56, Chapter 7. by *Kernell.

***House Bill No. 3916** -- DUI/DWI Offenses - Permits judge to issue restricted driver license to first-time DUI offender to go to court-ordered alcohol program or religious service, in addition to other authorized locations, if offender agrees to pay for functioning ignition interlock on vehicle and drives only vehicle on which it was installed. Amends TCA Section 55-10-403. by *Kernell.

***House Bill No. 3917** -- Fiscal Review Committee - Requires the fiscal review committee, each year, to identify and list all bills that are null and void for lack of first-year funding, as required by the Tennessee constitution; directs the committee to provide such list to the speakers and to the Tennessee code commission. Amends TCA Title 3, Chapter 7, Part 1. by *McMillan. (SB3853 by *Haynes)

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House Bill No. 3918 -- Courts, Municipal - Expands jurisdiction of municipal courts. Amends TCA Title 16 and Title 55. by *Hood. (*SB3844 by *Ketron)

***House Bill No. 3919** -- Insurance Companies, Agents, Brokers, Policies - Defines further prohibited practices of title insurance companies and agencies. Amends TCA Title 56, Chapter 35. by *Fitzhugh.

House Bill No. 3920 -- General Assembly - Specifies that expenses of members are paid in accordance with Article II, Section 23 of the Constitution of Tennessee. Amends TCA Section 3-1-106. by *Maddox. (*SB3419 by *Jackson)

House Bill No. 3921 -- Plumbers and Plumbing - Provides for issuance of a license as a limited licensed plumber to certain persons without examination. Amends TCA Title 62, Chapter 6, Part 4. by *Maddox. (*SB3180 by *Cooper)

House Bill No. 3922 -- Taxes, Sales - Exempts from sales tax liability purchases of motor vehicles by members of the coast guard who are stationed, under orders of the coast guard, at a coast guard station or support facility located entirely within this state. Amends TCA Section 67-6-303. by *Fitzhugh. (*SB3182 by *Cooper)

House Bill No. 3923 -- Public Utilities - Exempts from certain assessments, under certain conditions, certain corporations whose principal business is the manufacture of products of the soil. Amends TCA Title 65 and Title 67. by *Fitzhugh. (*SB3531 by *Henry)

House Bill No. 3924 -- Telecommunications - Specifies that, in no event, may the rate for residential basic local exchange telephone service be increased in any one year by an amount greater than the percentage change in inflation. Amends TCA Section 65-5-109. by *Fitzhugh. (*SB3265 by *Burchett)

***House Bill No. 3925** -- Tennessee Regulatory Authority - Requires the TRA to post its minutes, final orders and other official documents on the authority's Web site. Amends TCA Title 65. by *Fitzhugh.

House Bill No. 3926 -- Railroads - Clarifies that certain provisions, relative to sales tax liability for certain railroad track materials and locomotive radiators, cease to be effective on and after July 1, 2007. Amends TCA Title 3; Title 4; Title 8; Title 54; Title 55; Title 65 and Title 67. by *Fitzhugh. (*SB3181 by *Cooper)

House Bill No. 3927 -- Local Education Agency - Increases an LEAs discretion when leasing or selling surplus property and authorizes LEAs to lease or sell to private parties. Amends TCA Section 49-2-203 and Title 49, Chapter 6, Part 20. by *Maggart. (*SB3610 by *Black)

House Bill No. 3928 -- Education, Dept. of - Creates volunteer literacy grant program. Amends TCA Title 49, Chapter 1, Part 2 and Section 67-4-2009. by *Maggart. (*SB3614 by *Beavers)

***House Bill No. 3929** -- Professions and Occupations - Specifies that a person who holds a master's degree in engineering from an approved institution is qualified for registration as an engineer. Amends TCA Section 62-2-401. by *Kelsey.

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House Bill No. 3930 -- Taxes, Sales - Exempts gas used to generate heat for production of aluminum sheet and foil from taxation. Amends TCA Title 67, Chapter 6, Part 2. by *Maddox. (*SB2825 by *McLeary)

***House Bill No. 3931** -- Juvenile Offenders - Creates a division of juvenile justice within the department of children's services and requires that such division be separate from the department with respect to budget. Amends TCA Title 4; Title 8; Title 9; Title 33; Title 34; Title 36; Title 37 and Title 39. by *Maddox.

***House Bill No. 3932** -- Lobbying, Lobbyists - Requires lobbyists to disclose, by bill or resolution number, legislation actively lobbied by means of direct communication with the governor or any member of the general assembly under certain circumstances. Amends TCA Title 3, Chapter 6, Part 3 and Chapter _ of the Public Acts of 2006 (SB 7001 / HB 7001). by *Maddox.

***House Bill No. 3933** -- Campaigns and Campaign Finance - Limits aggregate contributions from individuals to all candidates and PACs to \$25,000 annually. Amends TCA Title 2, Chapter 10. by *Maddox.

***House Bill No. 3934** -- Ethics - Prohibits members of the general assembly from using official stationery or campaign stationery for certain purposes. Amends TCA Title 2, Chapter 10, Part 1 and Chapter _ of the Public Acts of 2006 (SB 7001 / HB 7001). by *Maddox.

***House Bill No. 3935** -- Lobbying, Lobbyists - Prohibits certain lobbyists from organizing, hosting, attending or otherwise participating in certain events paid for by employers of lobbyists. Amends TCA Title 3, Chapter 6, Part 3 and Chapter _ of the Public Acts of 2006 (SB 7001 / HB 7001). by *Maddox.

***House Bill No. 3936** -- Lobbying, Lobbyists - Allows a lobbyist to make campaign contributions to the state senator or state representative, or a candidate therefor, in whose district the lobbyist is a qualified voter, if current prohibition on lobbyist contributions is held invalid. Amends TCA Title 3, Chapter 6, Part 3 and Chapter _ of the Public Acts of 2006 (SB 7001 / HB 7001). by *Maddox.

***House Bill No. 3937** -- Lobbying, Lobbyists - Requires the ethics commission to randomly audit, each year, at least 2 percent of all employers of lobbyists. Amends TCA Title 3, Chapter 6, Part 3. by *Maddox.

***House Bill No. 3938** -- Campaigns and Campaign Finance - Lowers PAC contribution limits to \$2,500 per election to statewide candidates and \$1,000 per election to all other state and local candidates. Amends TCA Title 2, Chapter 10, Part 3. by *Maddox.

***House Bill No. 3939** -- Campaigns and Campaign Finance - Prohibits cash contributions to candidates and PACs. Amends TCA Title 2, Chapter 10. by *Maddox.

***House Bill No. 3940** -- Campaigns and Campaign Finance - Adds "pledge" to definition of campaign contribution. Amends TCA Title 2, Chapter 10. by *Maddox.

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***House Bill No. 3941** -- Campaigns and Campaign Finance - Limits PAC contributions to PACs controlled by political parties or PACs controlled by a caucus of a political party established by members of either house of the general assembly to \$20,000 per election. Amends TCA Title 2, Chapter 10, Part 3. by *Maddox.

***House Bill No. 3942** -- Campaigns and Campaign Finance - Extends blackout period for fundraising from start of general assembly annual session to January 1. Amends TCA Title 2, Chapter 10. by *Maddox.

***House Bill No. 3943** -- Ethics - Requires certain disclosures of private income sources to indicate whether the source is an employer of a lobbyist, a lobbyist, or a lobbying firm. Amends TCA Title 2, Chapter 10, Part 1, and Chapter ___ of the Public Acts of 2006 (SB 7001 / HB 7001). by *Maddox.

***House Bill No. 3944** -- Lobbying, Lobbyists - Prohibits lobbyists from making campaign contributions to political campaign committees controlled by any caucus established by members of the general assembly. Amends TCA Title 3, Chapter 6, Part 3. by *Maddox.

***House Bill No. 3945** -- General Assembly - Adopts certain policies and goals regarding live Web-casting, via Internet audio streaming and audio/video streaming, of floor sessions, committee meetings and subcommittee meetings of the senate and house of representatives. Amends TCA Title 3, Chapter 1, Part 1. by *Maddox.

House Bill No. 3946 -- Domestic Violence - Transfers criminal offense of violating order of protection or restraining order to criminal code; and clarifies that offense of violation of protection order is a misdemeanor crime of domestic violence and violation of a domestic abuse bail condition may also constitute offense of violation of protection order. Amends TCA Title 36; Title 39 and Title 40. by *Briley. (*SB3661 by *Haynes)

House Bill No. 3947 -- Criminal Offenses - Establishes certain disclosures of certain health information as criminal offenses. Amends TCA Title 39; Title 63 and Title 68. by *Briley. (*SB3389 by *Herron)

House Bill No. 3948 -- Administrative Procedure (UAPA) - Revises language authorizing the payment of costs associated with contested cases to state that costs will be paid if an agency issues a citation that is not well grounded in fact instead of if an agency issues a violation. Amends TCA Section 4-5-325. by *Briley. (*SB3532 by *Henry)

House Bill No. 3949 -- Judges and Chancellors - Prohibits judicial evaluation commission members from eligibility for nomination by the judicial selection commission during such member's tenure on the judicial evaluation commission and two years thereafter. Amends TCA Title 17, Chapter 4, Part 2. by *Briley. (*SB3310 by *Haynes)

House Bill No. 3950 -- Taxes, Exemption and Credits - Exempts solar energy systems from ad valorem taxation. Amends TCA Title 67, Chapter 5. by *Briley. (*SB3229 by *Burchett)

House Bill No. 3951 -- Motor Vehicles - Makes offering, paying or receiving a kickback between a towing firm and an owner or manager of property in exchange for referring a motor vehicle for towing from the property a Class C misdemeanor. Amends TCA Title 55. by *Briley. (*SB3244 by *Burchett)

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House Bill No. 3952 -- Education, Higher - Clarifies that reasonable membership dues to a not-for-profit buying cooperative not considered payment or compensation for purpose of prohibiting an institution of higher learning from making purchases through group purchasing program. Amends TCA Section 49-7-127. by *Briley. (*SB2900 by *Woodson)

House Bill No. 3953 -- Tort Liability and Reform - Enacts the "Sorry Works! Pilot Program Act." Amends TCA Title 29, Chapter 26. by *Briley. (*SB3325 by *Haynes)

House Bill No. 3954 -- Lottery, Corporation - Requires corporation to establish a lottery ticket litter reduction program. Amends TCA Title 4, Chapter 51, Part 1. by *Briley. (*SB2684 by *Cohen, *Jackson, *Woodson, *Tracy, *Fowler, *Herron)

House Bill No. 3955 -- Gas, Petroleum Products, Volatile Oils - Prohibits the manufacturing, blending, distributing or selling of motor fuel containing more than an incidental amount of methyl tertiary butyl ether ("MTBE"). Amends TCA Title 47, Chapter 18, Part 13. by *Briley. (*SB3467 by *Bryson)

House Bill No. 3956 -- Courts, Administrative Office of the - Establishes within the administrative office of the courts an Integrated Criminal Justice Steering Committee to develop integrated criminal justice systems to assist in coordinating the work of the Tennessee criminal justice affiliated agencies. Amends TCA Title 16, Chapter 3, Part 8. by *Briley. (*SB3609 by *Person, Curtis)

House Bill No. 3957 -- Taxes, Gasoline, Petroleum Products - Exempts from petroleum tax gas or diesel used in transportation of handicapped persons in a program under contract with a local board of education or the division of mental retardation services. Amends TCA Section 67-3-401. by *Briley. (*SB2829 by *Woodson)

House Bill No. 3958 -- Alcoholic Beverages - Allows retail sale of novelty decanters by manufacturer in a manufacturer's licensed retail facility. Amends TCA Section 57-3-204. by *Jones U, *Fraley, *Pruitt, *Moore, *West, *Harwell, *Jones S, *Odom, *Turner M, *Sontany, *Langster. (*SB3832 by *Tracy, *Ketron, *Bryson, *Henry)

***House Bill No. 3959** -- Ethics - Makes various changes pertaining to lobbying, campaign finance, elections and governmental ethics. Amends TCA Title 2; Title 3; Title 4; Title 8 and Section 39-16-103. by *Vaughn.

***House Bill No. 3960** -- Physicians and Surgeons - Classifies noncompliance with provisions governing health care referrals as Class C misdemeanor with violator subject to a fine of not less than \$10.00 nor more than \$50.00 for each violation in addition to any other sanctions imposed by board of medical examiners. Amends TCA Title 63. by *Fitzhugh.

House Bill No. 3961 -- Budget Procedures - Requires commissioner of finance and administration to transmit copy of written certification of legislation with local impact to legislative budget analysis. Amends TCA Title 5; Title 6; Title 7; Title 9; Title 13; Title 57 and Title 67. by *Rinks. (*SB3854 by *Tracy)

House Bill No. 3962 -- Employees, Employers - Enacts the "Fair Share Health Care Fund Act." Amends TCA Title 71. by *McMillan. (*SB3392 by *Herron)

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House Bill No. 3963 -- Ethics - Makes technical corrections and clarifies provisions of Comprehensive Governmental Ethics Reform Act of 2006. Amends TCA Title 2, Chapter 10, Title 3, Chapter 6. by *McMillan. (*SB3851 by *Williams)

***House Bill No. 3964** -- Education - Requires state board of education to conduct study on teacher salaries. Amends TCA Title 5; Title 8, Chapter 27 and Title 49. by *Shepard. (SB3933 by *Jackson)

***House Bill No. 3965** -- State Government - Requires any state department proposing to sell, transfer or dispose of state-owned real property to notify the senate environment, conservation, and tourism committee and the house conservation and environment committee at least 90 days prior to such proposed transfer. Amends TCA Title 4; Title 7 and Title 12. by *Shepard. (SB3934 by *Jackson)

House Bill No. 3966 -- Emergency Communications Districts - Authorizes emergency communications board to administer the deployment of 911 service with regard to emerging technologies. Amends TCA Section 7-86-306. by *Jones U. (*SB3860 by *Harper)

House Bill No. 3967 -- Emergency Communications Districts - Authorizes application of the emergency telephone service charge to non-wireline services that connect callers to public safety answering points. Amends TCA Title 7, Chapter 86, Part 1. by *Jones U. (*SB3861 by *Harper)

***House Bill No. 3968** -- Election Laws - Enacts the "Voter-Owned Elections Act of 2006"; specifies that all gubernatorial, general assembly, and local elections will be publicly financed. Amends TCA Title 2, Chapter 10. by *Towns.

***House Bill No. 3969** -- Assessors - Allows counties, cities and towns to contract with persons, firms or corporations for the digital photographing of all parcels of real property in a taxing jurisdiction. Amends TCA Title 67. by *Maggart. (SB3938 by *Black)

***House Bill No. 3970** -- Fines and Penalties - Requires any proceeds deposited into an expendable trust fund for use by a judicial district drug task force be used within two years or such proceeds revert to the county general fund. Amends TCA Title 8, Chapter 7; Title 39 and Title 40, Chapter 33. by *Shepard. (SB3935 by *Jackson)

***House Bill No. 3971** -- Insurance Companies, Agents, Brokers, Policies - Requires health insurance issuers to allow certain medical equipment suppliers the right to participate as a provider in a policy, and any party to such policy the right to select such medical equipment suppliers, as is presently allowed for pharmacists. Amends TCA Title 56, Chapter 7, Part 23. by *McDonald. (SB3936 by *Haynes)

***House Bill No. 3972** -- Veterinarians - Designates artificial insemination of livestock as an accepted livestock management practice rather than veterinary medical service; requires board of veterinary medical examiners to refund all monetary fines and civil penalties imposed and collected in current and previous fiscal year for artificial insemination of livestock without veterinary medical license upon application therefor by persons fined for such practice. Amends TCA Title 63, Chapter 12. by *Cobb. (SB3937 by *Tracy)

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***House Bill No. 3973** -- Correctional Programs - Directs the department of correction to study the efficacy and feasibility of developing and implementing an incentive program whereby certain incarcerated inmates may be rewarded with sentence credits for certain academic achievements attained while incarcerated. Amends TCA Title 40, Chapter 35 and Title 41, Chapter 21, Part 2. by *Maddox.

***House Bill No. 3974** -- Taxes - Authorizes county legislative body to call for a referendum on an increase in the county tax rate upon a two-thirds vote. Amends TCA Title 5, Chapter 12; Title 5, Chapter 21; Title 5, Chapter 5; Title 67, Chapter 1, Part 6 and Title 67, Chapter 5. by *Maggart.

***House Bill No. 3975** -- Education - Creates professional standards commission to assume all functions and duties relative to the licensure of public school teachers; creates appeals council to hear appeals from determinations of the professional standards commission. Amends TCA Title 49. by *Harwell. (SB3939 by *Tracy)

House Bill No. 3976 -- Teachers, Principals and School Personnel - Requires annual reports to education committees of senate and house on the percentage of students at teacher training institutions enrolled in courses offering training on teaching children with behavioral or emotional disorders. Amends TCA Title 49, Chapter 5, Part 56. by *Rowland. (*SB3859 by *Miller)

***House Bill No. 3977** -- Water Authorities - Requires county legislative body of any county creating a water and wastewater treatment authority to give prior approval of the authority's proposed use of the power of eminent domain. Amends TCA Title 68, Chapter 221, Part 6. by *Lynn. (SB3941 by *Beavers)

***House Bill No. 3978** -- Special License Plates - Establishes 100 plate, instead of 1,000 plate, minimum order for new specialty earmarked license plates authorized on or after July 1, 2006, that allocate portion of funds derived from sale and renewal thereof to branch, department, or agency of state government to further state governmental purposes. Amends TCA Title 55, Chapter 4. by *Shepard. (SB3940 by *Jackson)

***House Bill No. 3979** -- Landlord and Tenant - Requires written notice of proposed new rental agreements be given to tenants at least 45 days prior to expiration of lease of six months or more in duration. Amends TCA Title 66. by *Hackworth.

***House Bill No. 3980** -- Safety - Provides that a motor vehicle operator, who knowingly ignores a flood warning sign or barricade placed at a flooded road area, commits reckless driving; provides governmental immunity for the governmental entity that posted the sign or barricade. Amends TCA Title 29, Chapter 20; Title 55, Chapter 10 and Title 55, Chapter 8. by *Cobb.

***House Bill No. 3981** -- Wildlife Resources Commission - Increases penalty for offense of destroying the nest or den of any protected wild animal or bird from a Class C misdemeanor to a Class B misdemeanor punishable by fine only up to \$10,000. Amends TCA Title 70. by *Shepard. (SB3932 by *Jackson)

THURSDAY, FEBRUARY 23, 2006 – FIFTY-SEVENTH LEGISLATIVE DAY

House Bill No. 3982 -- Public Records - Specifies that records provided to or collected by the department of agriculture pursuant to the implementation and operation of premise identification or animal tracking programs and contingency plans concerning the department's response to agriculture-related homeland security events are confidential and not open for public inspection. Amends TCA Title 10, Chapter 7, Part 5. by *McMillan. (*SB3864 by *Kyle)

House Bill No. 3983 -- Children's Services, Dept. of - Clarifies that superintendent of a youth development center has authority to make recommendations to deputy commissioner for juvenile justice, as well as to the commissioner, for the release of children placed in the center; authorizes a course of instruction in cosmetology, in addition to barbering, in youth development centers. Amends TCA Title 37. by *McMillan. (*SB3865 by *Kyle)

House Bill No. 3984 -- Children - Revises provisions regarding a parent or other person's liability for expenses of returning juvenile to custody of department of children's services. Amends TCA Title 37, Chapter 1. by *McMillan. (*SB3866 by *Kyle)

House Bill No. 3985 -- Abuse - Requires that a child abuse review team include a representative of local law enforcement. Amends TCA Title 37, Chapter 1. by *McMillan. (*SB3867 by *Kyle)

House Bill No. 3986 -- Criminal Offenses - Revises the criminal provisions regarding a law enforcement officer or a correctional officer having sexual contact with an inmate. Amends TCA Title 39, Chapter 16, Part 4 and Title 41, Chapter 21, Part 2. by *McMillan. (*SB3868 by *Kyle)

House Bill No. 3987 -- Criminal Offenses - Creates the Class E felony offense of knowingly and with unlawful intent taking, sending, or otherwise causing to be taken a telecommunication device into a penal institution where prisoners are quartered or under custodial supervision; includes cellular phones, digital phones, and modem equipment devices. Amends TCA Section 39-16-201. by *McMillan. (*SB3869 by *Kyle)

House Bill No. 3988 -- Correction, Dept. of - Creates a department confiscated cash fund for monies collected as contraband from inmates at state prisons; fund monies to be used for the purchase, training, and maintenance of the department's canine units. Amends TCA Title 4, Chapter 6, Part 1. by *McMillan. (*SB3870 by *Kyle)

House Bill No. 3989 -- Criminal Procedure - Requires the department of correction to establish a diversion program for parole technical violators. Amends TCA Title 40, Chapter 28 and Title 41, Chapter 1. by *McMillan. (*SB3871 by *Kyle)

House Bill No. 3990 -- Correction, Dept. of - Revises provisions governing the department maintaining polygraph machines and drug-detecting dogs at correctional facilities. Amends TCA Title 4 and Title 41. by *McMillan. (*SB3872 by *Kyle)

House Bill No. 3991 -- Water Pollution - Revises circumstances under which the commissioner of environment and conservation may grant variances in permits issued under the Water Quality Control Act. Amends TCA Section 69-3-108. by *McMillan. (*SB3877 by *Kyle)

House Bill No. 3992 -- Water Pollution - Authorizes the commissioner of environment and conservation to issue stop work order for coal surface mining operations in certain circumstances. Amends TCA Title 69, Chapter 3, Part 1. by *McMillan. (*SB3873 by *Kyle)

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House Bill No. 3993 -- Parks, Natural Areas Preservation - Specifies that moneys in the local parks land acquisition fund may be used only for grants to local governments to purchase land for parks, natural areas, greenways, and recreation facilities, and for trail development and capital projects in such areas; limits the amount that may be used for administrative expenses to 3.5 percent. Amends TCA Section 57-4-409(i). by *McMillan. (*SB3874 by *Kyle)

House Bill No. 3994 -- Parks, Natural Areas Preservation - Adds Rugby and Stillhouse Hollow Falls to scenic-recreational areas; adds Campbell Bend Barrens, Crowder Cemetery Barrens, Pogue Creek, and Walls of Jericho to natural-scientific areas; revises acreage of Sequatchie Cave and Manus Road Cedar Glade natural-scientific areas. Amends TCA Title 11, Chapter 14. by *McMillan. (*SB3875 by *Kyle)

House Bill No. 3995 -- Recreational Areas - Authorizes department of environment and conservation to award more than one recreation initiative grant per grand division in any year there are no applicants from another grand division; authorizes use of grants to hire additional personnel; increases community match to \$50,000 during first two years in grant program. Amends TCA Title 11, Chapter 9, Part 2. by *McMillan. (*SB3876 by *Kyle)

House Bill No. 3996 -- Purchasing - Revises the dollar limit for purchases made pursuant to an informal purchasing procedure established by the director of purchases from \$10,000 to \$25,000 where the board of standards unanimously agrees, and from \$5,000 to \$10,000 where the board does not unanimously agree on the higher amount. Amends TCA Section 12-3-204. by *McMillan. (*SB3879 by *Kyle)

House Bill No. 3997 -- Indigents - Redefines "indigent person" for purposes of provisions governing mental health and developmental disabilities. Amends TCA Title 33, Chapter 1, Part 1. by *McMillan. (*SB3880 by *Kyle)

House Bill No. 3998 -- Mental Health and Developmental Disabilities, Dept. of - Revises provisions regarding the department reimbursing licensed supportive living facilities for the mentally ill. Amends TCA Section 12-4-330(b). by *McMillan. (*SB3881 by *Kyle)

House Bill No. 3999 -- Mental Health and Developmental Disabilities, Dept. of - Revises provisions governing the adoption of rules by the division of mental retardation services. Amends TCA Section 33-1-309. by *McMillan. (*SB3882 by *Kyle)

House Bill No. 4000 -- Mental Illness - Specifies that the present authority for the commissioner of finance and administration to establish programs, especially community-based programs, for training, habilitating, or rehabilitating persons with mental retardation, also applies to the commissioner's designee. Amends TCA Section 33-5-401. by *McMillan. (*SB3883 by *Kyle)

House Bill No. 4001 -- Human Services, Dept. of - Removes obsolete requirement for comptroller to report on Families First program by 1998; corrects statutory references. Amends TCA Titles 36 and 71. by *McMillan. (*SB3878 by *Kyle)

House Bill No. 4002 -- Unemployment Compensation - Establishes a new premium rate table to the premium rate chart for nongovernmental entities. Amends TCA Sections 50-7-403(b)(1)(A) and (B), 50-7-403(g), 50-7-404(f) and 50-7-451(b)(1). by *McMillan. (*SB3888 by *Kyle)

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House Bill No. 4003 -- Unemployment Compensation - Revises the provisions governing the determination of the aggregate reserve ratio of a staff leasing company. Amends TCA Section 62-43-113(b)(2)(A)(ii)(b). by *McMillan. (*SB3889 by *Kyle)

House Bill No. 4004 -- Workers' Compensation - Requires insurer, employer, or self-insured pool to file, within 15 days of an employee's injury, a wage statement detailing the employee's wages for the previous 52 weeks; revises other workers' compensation provisions. Amends TCA Title 50, Chapter 6. by *McMillan. (*SB3890 by *Kyle)

House Bill No. 4005 -- Banks and Financial Institutions - Specifies that otherwise confidential information obtained by the commissioner of financial institutions or any bank examiner in making an examination into the affairs of the bank may be disclosed to certain state and federal officials for purposes of enforcing and complying with the federal Bank Secrecy Act. Amends TCA Sections 45-2-1603 and 45-18-113. by *McMillan. (*SB3886 by *Kyle)

House Bill No. 4006 -- Banks and Financial Institutions - Requires all state-chartered banks to be annually audited by independent CPA; removes provision regarding review of the state bank. Amends TCA Titles 35, 45, 47, 56, 62 and 66. by *McMillan. (*SB3887 by *Kyle)

House Bill No. 4007 -- Military - Revises the membership of the Tennessee military affairs commission executive committee. Amends TCA Title 4, Chapter 49, Part 1. by *McMillan. (*SB3884 by *Kyle)

House Bill No. 4008 -- Health Care - Enacts the "Tennessee Children's Health Insurance Plan Act of 2006." Amends TCA Title 4, Title 8, Title 36, Title 56, Title 68, and Title 71. by *McMillan. (*SB3892 by *Kyle)

House Bill No. 4009 -- Insurance, Health, Accident - Enacts the "Tennessee Comprehensive Health Insurance Pool Planning Act of 2006." Amends TCA Title 4, Title 8, and Title 56. by *McMillan. (*SB3893 by *Kyle, *McNally)

House Bill No. 4010 -- Insurance, Health, Accident - Requires a 30-day grace period, beyond the 30-day period for notifying an insurer regarding birth of a child, in situations where the newborn child encounters a major health problem during the initial 30-day period. Amends TCA Title 4, Title 8, and Title 56. by *McMillan. (*SB3894 by *Kyle, *Herron, *Williams)

House Bill No. 4011 -- TennCare - Revises various provisions regarding TennCare, including specifying that the state is no longer required to process applications for TennCare for persons who no longer fall into an eligible coverage category and requiring the comptroller to provide the general assembly with annual updates regarding prescription drugs in nursing homes. Amends TCA Title 4, Title 8, Title 10; Title 12; Title 20; Title 29; Title 33; Title 37; Title 39; Title 40; Title 41; Title 47; Title 49; Title 50; Title 53; Title 55; Title 56; Title 58; Title 63; Title 67; Title 68; and Title 71. by *McMillan. (*SB3895 by *Kyle, *McNally)

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House Bill No. 4012 -- TennCare - Revises various provisions regarding TennCare, including requiring the board of pharmacy to report the collection of any fines resulting from a TennCare-related matter, specifying that the state is no longer required to process applications for TennCare for persons who no longer fall into an eligible coverage category, and requiring the comptroller to provide the general assembly with annual updates regarding prescription drugs in nursing homes. Amends TCA Title 4, Title 8, Title 10; Title 12; Title 20; Title 29; Title 33; Title 37; Title 39; Title 40; Title 41; Title 47; Title 49; Title 50; Title 53; Title 55; Title 56; Title 58; Title 63; Title 67; Title 68; and Title 71. by *McMillan. (*SB3896 by *Kyle, *McNally)

House Bill No. 4013 -- Highway Patrol - Establishes qualifications for members employed after July 1, 2006. Amends TCA Titles 2, 4, 8, 10, 36, 38, 39, 53, 54, 55, 56, 57, 65, 66, 67, and 70. by *McMillan. (*SB3897 by *Kyle)

House Bill No. 4014 -- Highway Patrol - Requires that each member employed after July 1, 2006, meet the requirements for minimum standards as set forth in provisions governing police officers and as required by the police standards training commission; specifies that highway patrol members are not entitled to the police pay supplement for in-service training. Amends TCA Titles 2, 4, 8, 10, 36, 38, 39, 53, 54, 55, 56, 57, 65, 66, 67, and 70. by *McMillan. (*SB3898 by *Kyle)

House Bill No. 4015 -- Bond Issues - Authorizes issuance of bonds to fund state projects. by *McMillan. (*SB3912 by *Henry, *Kyle, *McNally, *Jackson)

House Bill No. 4016 -- Anatomical Gifts - Requires the department of safety, when issuing a driver license, to notify the licensee that the licensee may certify an anatomical gift on the license and to provide instructions on the manner of certification. Amends TCATitle 55, Chapter 50. by *McMillan. (*SB3899 by *Kyle)

House Bill No. 4017 -- Finance and Administration, Dept. of - Authorizes the commissioner to develop an enterprise resource planning system. Amends TCA Title 4, Title 8, Title 9, and Title 12. by *McMillan. (*SB3903 by *Kyle)

House Bill No. 4018 -- Public Contracts - Repeals provisions holding the state and its agencies and political subdivisions harmless for any breach of contract that is caused directly or indirectly by the failure of computer software or any device containing a computer processor to accurately or properly recognize, calculate, display, sort or otherwise process dates or times. - Repeals TCA Section 12-4-118. by *McMillan. (*SB3904 by *Kyle)

House Bill No. 4019 -- TennCare - Requires the office of inspector general to utilize data mining to detect fraud and abuse in TennCare; authorizes the inspector general to impose administrative sanctions against those who commit fraud and abuse. Amends TCA Title 71, chapter 5, parts 25 and 26. by *McMillan. (*SB3905 by *Kyle)

House Bill No. 4020 -- Children - Revises provisions governing the establishment of community services agencies under the Community Services Agency Act of 1996. Amends TCA Title 37, Chapter 5, Part 3. by *McMillan. (*SB3906 by *Kyle)

House Bill No. 4021 -- Bond Issues - Provides for the issuance of bonds to fund state projects. by *McMillan. (*SB3907 by *Kyle)

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House Bill No. 4022 -- Tobacco Master Settlement Agreement - Requires that the directory of manufacturers and brand names be updated at least annually; requires notice from the attorney general regarding changes occurring in the calculation of the annual distribution required of participating manufacturers. Amends TCA Title 4, Title 8, Title 10, Title 20, Title 47, and Title 67. by *McMillan. (*SB3908 by *Kyle)

House Bill No. 4023 -- State Government - Increases base salary for judges; increases the allocation of state sales tax revenue to municipalities from 4.4194 percent to 4.5925 percent; deletes various provisions for distribution to the state of certain revenue otherwise allocated to local governments; make other various provisions regarding state and local financing. Amends TCA Title 8, Title 55, Title 57, and Title 67, and Section 73 of Chapter 355 of the Public Acts of 2003. by *Sontany. (*SB3909 by *Kyle)

House Bill No. 4024 -- Appropriations - Makes certain appropriations for fiscal years 2005-2006, 2006-2007. by *McMillan. (*SB3913 by *Kyle)

House Bill No. 4025 -- Appropriations - Makes appropriations for fiscal years 2005-2006, 2006-2007. by *McMillan. (*SB3914 by *Henry, *McNally, *Kyle, *Jackson)

House Bill No. 4026 -- Surplus Property - Increases from \$25,000 to \$75,000 the maximum value of surplus property that may be sold to adjoining landowner or former property owner in certain circumstances. Amends TCA Title 12, Chapter 2, Part 1. by *McMillan. (*SB3891 by *Kyle)

***House Bill No. 4027** -- Cemeteries - Requires notice to lot owners and next of kin of lot owners by district attorney who brings an action against a cemetery company for violations under the provisions governing the improvement care trust fund; revises provisions governing actions of cemetery owner in connection with sale or installation of merchandise. Amends TCA Title 46. by *McMillan. (SB3926 by *Kyle)

***House Bill No. 4028** -- Fire Prevention and Investigation - Revises provisions governing the commissioner of commerce and insurance appointing deputy inspectors to conduct electrical inspections. Amends TCA Title 68, Chapters 102 and 221. by *McMillan. (SB3927 by *Kyle)

House Bill No. 4029 -- Appropriations - Authorizes appropriations to exceed estimated growth in state's economy by \$10,800,000 or 0.1 percent. by *McMillan. (*SB3910 by *Kyle)

House Bill No. 4030 -- Appropriations - Authorizes appropriations to exceed estimated growth in state's economy by \$11,200,000 or 0.1 percent. Amends TCA Title 9, Chapter 4, Part 52. by *McMillan. (*SB3911 by *Kyle)

***House Bill No. 4031** -- Private Protective Services - Revises various provisions governing registration of a person as an armed or unarmed security guard/officer. Amends TCA Title 62, Chapter 35. by *McMillan. (SB3925 by *Kyle)

House Bill No. 4032 -- Workers' Compensation - Extends the expiration of certain provisions regarding the second injury fund from June 30, 2006, to December 31, 2006. Amends TCA Title 9, Title 29, Chapter 20, Part 4, and Title 50, Chapter 6. by *McMillan. (*SB3900 by *Kyle)

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House Bill No. 4033 -- Employees, Employers - Extends the expiration date of the Tennessee job skills fee from December 31, 2006, to December 31, 2010. Amends TCA Section 50-7-451. by *McMillan. (*SB3885 by *Kyle)

House Bill No. 4034 -- Limitation of Actions - Removes the statute of limitations for certain sexual offenses committed against a child after this bill's effective date; applies to offenses of aggravated rape, rape, aggravated sexual battery, sexual battery, rape of child, sexual battery by an authority figure, and incest. Amends TCA Title 40, Chapter 2. by *McMillan. (*SB3901 by *Kyle)

House Bill No. 4035 -- Victims' Rights - Revises provisions governing award from criminal injuries compensation fund for motor vehicle or watercraft-related injuries or death. Amends TCA Title 29, Chapter 13, Part 1. by *McMillan. (*SB3902 by *Kyle)

House Bill No. 4036 -- Public Contracts - Specifies that no cost proposals may be opened until the evaluation of the non-cost sections of the proposal have been completed, unless the commissioner of finance and administration, the comptroller, and, if applicable, the commissioner of the procuring agency approve that the cost proposals in the particular procurement may be opened prior to evaluation of the non-cost sections. Amends TCA Section 12-4-109. by *McMillan. (*SB3916 by *Kyle)

House Bill No. 4037 -- Scholarships and Financial Aid - Allows the application for loan-scholarship for a nursing graduate student to be made electronically. Amends TCA Title 49, Chapter 4. by *McMillan. (*SB3915 by *Kyle)

House Bill No. 4038 -- Education - Revises the age of children to whom the compulsory school attendance requirements for blind children apply from "between seven and 16 years of age" to "between six and 17 years of age." Amends TCA Title 49, Chapter 6, Part 30. by *McMillan. (*SB3917 by *Kyle)

House Bill No. 4039 -- Local Education Agency - Prohibits LEAs from denying admission to homeless children for lack of proof of immunization. Amends TCA Title 49, Chapter 6. by *McMillan. (*SB3918 by *Kyle)

House Bill No. 4040 -- Education - Renames the division of vocational-technical education within the department of education as the division of career and technical education; revises membership of the Tennessee council for vocational-technical education. Amends TCA Title 49. by *McMillan. (*SB3919 by *Kyle)

House Bill No. 4041 -- Education - Allows a board of education to include in its application for pre-K programs any written comments and recommendations submitted by the LEA's community pre-k advisory council. Amends TCA Title 49, Chapter 6. by *McMillan. (*SB3920 by *Kyle)

House Bill No. 4042 -- Local Education Agency - Urges LEAs to provide periods of physical activity during the school day in elementary and middle schools. Amends TCA Title 49, Chapter 6. by *McMillan. (*SB3921 by *Kyle)

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House Bill No. 4043 -- Education - Specifies that when the education of a child becomes the state's direct responsibility for any reason, the commissioner of education must pay to the state agency responsible for the child an amount equal to the state funds, plus the local funds, which would otherwise be expended on the child if the child had not been placed in state care. Amends TCA Title 49, Chapter 3. by *McMillan. (*SB3922 by *Kyle)

House Bill No. 4044 -- Real Estate Agents and Brokers - Requires that one member of the real estate appraiser commission be a full-time educator of "appraisal-related" education instead of "appraisal" education. Amends TCA Section 62-39-201(a)(2). by *McMillan. (*SB3924 by *Kyle)

House Bill No. 4045 -- Safety - Revises provisions governing the commissioner of commerce and insurance obtaining a lien against a building or premises that had to be repaired, torn down, or demolished, or from which materials were removed and dangerous conditions remedied. Amends TCA Sections 68-102-122, 68-102-123, 68-102-124, and 68-102-125. by *McMillan. (*SB3928 by *Kyle)

***House Bill No. 4046** -- Safety - Requires person applying for registration as a blaster to submit a copy of the person's ATF letter of clearance, license, or permit; increases the maximum amount of the civil penalty for violation of blasting provisions from \$500 to \$10,000. Amends TCA Sections 68-105-102, 68-105-106, 68-105-109 and 68-105-118. by *McMillan. (SB3929 by *Kyle)

House Bill No. 4047 -- Insurance Companies, Agents, Brokers, Policies - Authorizes the commissioner of commerce and insurance to promulgate rules regarding the filing of annual statements and payment of annual filing fees; such rules may allow electronic filing; revises fees under the Insurance Producer Licensing Act. Amends TCA Sections 56-1-501. by *McMillan. (*SB3923 by *Kyle)

House Bill No. 4048 -- Taxes, Privilege - Revises the tax of unauthorized substances in regard to marijuana to specify that plants will be taxed at \$350 per plant, whether growing or detached from the soil. Amends TCA Title 45, Title 48, Title 55, Title 56, Title 57, and Title 67. by *McMillan. (*SB3930 by *Kyle)

House Bill No. 4049 -- Taxes - Revises the excise tax credit for industrial machinery; specifies that charges for any time-share use governed by the Tennessee Time-Share Act of 1981 or the Tennessee Vacation Club Act of 1995 is subject to sales and use tax. Amends TCA Title 45, Title 48, Title 55, Title 56, Title 57, and Title 67. by *McMillan. (*SB3931 by *Kyle)

**ENROLLED BILLS
February 23, 2006**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 181; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

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**SIGNED
February 23, 2006**

The Speaker signed the following: House Resolution(s) No(s). 181.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**CONSENT CALENDAR
February 23, 2006**

The following local bills have been placed on the Consent Calendar for **February 27, 2006**: House Bill(s) No(s). 2925 and 3028.

ROLL CALL

The roll call was taken with the following results:

Present.....92

Representatives present were: Armstrong, Baird, Bone, Borchert, Brooks (Knox), Brooks (Shelby), Brown, Buck, Campfield, Casada, Clem, Cobb, Cochran, Coleman, Cooper B, Crider, Curtiss, Davidson, Davis, DeBerry J, DeBerry L, Dunn, Eldridge, Favors, Ferguson, Fitzhugh, Fowlkes, Fraley, Godsey, Gresham, Hackworth, Hargrove, Harmon, Harrison, Harwell, Hawk, Hensley, Hill, Hood, Johnson C, Johnson P, Johnson R, Jones S, Jones U, Kelsey, Kernell, Langster, Litz, Lynn, Maddox, Maggart, Marrero, McCord, McCormick, McDaniel, McDonald, McKee, McMillan, Miller L, Montgomery, Moore, Mumpower, Niceley, Odom, Overbey, Pinion, Pleasant, Pruitt, Rinks, Rowe, Rowland, Sargent, Shaw, Shepard, Sontany, Stanley, Strader, Swafford, Tidwell, Tindell, Todd, Towns, Turner L, Turner M, Vaughn, Watson B, Watson E, West, Windle, Winningham, Yokley, Mr. Speaker Naifeh -- 92.

RECESS MOTION

On motion of Rep. McMillan, the House stood in recess until 5:00 p.m., Monday, February 27, 2006.